

RESOLUTION NO. 2013-65

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**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALBANY,
COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DENYING THE
APPEAL OF PLANNING & ZONING COMMISSION DECISION OF
CONDITIONAL USE PERMIT 06-053 ST. MARY'S COLLEGE HIGH
SCHOOL 1600 POSEN ST. ALBANY, CA 94706, UPHOLDING PROJECT
APPROVAL**

WHEREAS, the Albany City Council adopted Ordinance 04-09 Chapter 20
"Planning & Zoning" of the Albany Municipal Code on December 6, 2004; and

WHEREAS, Section 20.12.040 of the Albany Municipal Code requires a
Conditional Use Permit for a private school in the PF-Public Facilities Zoning
District; and

WHEREAS, the subject site is located in the PF-Public Facilities District; and

WHEREAS, the St. Mary's College High School campus was established at
its current location in 1927; and

WHEREAS, the Albany City Council adopted resolution 94-37 upholding
approval of a Conditional Use Permit for St. Mary's College High School on June 6,
1994; and

WHEREAS, the Conditional Use Permit approved by the City Council in
1994 serves as the operating permit for St. Mary's College High School in present
day; and

WHEREAS, St. Mary's College High School filed an application for a new
Conditional Use Permit with the City of Albany on August 21, 2007;

1 **WHEREAS**, a Mitigated Negative Declaration (MND) was prepared and
2 circulated for comment in 2008 and no final action was taken on the MND or related
3 Conditional Use Permit proposal; and

4 **WHEREAS**, St. Mary's filed a modified application request on April 27,
5 2011 which contained a reduction in square footage from the previous proposal; and

6 **WHEREAS**, the Planning & Zoning Commission reviewed the initial
7 application request at its September 27, 2011; and

8 **WHEREAS**, the Planning & Zoning Commission conducted a site walk of
9 the St. Mary's campus on October 11, 2011 with School representatives, City staff,
10 and members of the public to view story poles which were installed on-site that
11 illustrate proposed building height; and

12 **WHEREAS**, the September 27, 2011 public hearing and October 11, 2011
13 site walk were publicly noticed and notices sent to residents and property owners
14 within 300 ft. of the subject site pursuant to Government Code Section 65090; and

15 **WHEREAS**, the application was deemed complete as part of the October 11,
16 2011 review; and

17 **WHEREAS**, the City of Albany authorized Lamphier-Gregory, an
18 environmental consulting firm, to prepare an Initial Study of the modified application
19 after the October 11, 2011 site walk; and

20 **WHEREAS**, Lamphier-Gregory prepared a draft Mitigated Negative
21 Declaration (MND) to analyze potential project impacts associated with the
22 Conditional Use Permit request; and

23 **WHEREAS**, mitigation measures as part of the MND are recommended to
24 minimize impacts associated with project development; and

1 **WHEREAS**, the MND was circulated for a thirty (30) day public comment
2 period from June 6, 2012-July 6, 2012 pursuant to Section 15073 (a) of the California
3 Environmental Quality Act Guidelines (CEQA); and

4 **WHEREAS**, the Planning & Zoning Commission held a public hearing on
5 June 12, 2012 to receive public testimony related to the MND during the public
6 comment period; and

7 **WHEREAS**, a public hearing notice was sent to residents and property
8 owners within 300 ft. of St. Mary's College High School pursuant to California
9 Government Code Section 65090 for the public hearing held on June 12, 2012; and

10 **WHEREAS**, the Planning & Zoning Commission held two public hearings on
11 September 12, 2012 and September 26, 2012 and continued the application to a date
12 uncertain; and

13 **WHEREAS**, the application request was continued to a date uncertain at the
14 November 14, 2012 Planning & Zoning Commission so that professionally facilitated
15 mediation sessions could occur between City staff, the Peralta Park Neighborhood
16 Association, St. Mary's College High School; and

17 **WHEREAS**, professionally facilitated mediation sessions were held on
18 November 21, 2012, December 4, 2012, December 11, 2012, January 29, 2013, April
19 26, 2013, and May 29, 2013; and

20 **WHEREAS**, draft Conditions of Approval for the Conditional Use Permit
21 were discussed as part of the professionally facilitated mediation; and

22 **WHEREAS**, the Planning & Zoning Commission reviewed the project and
23 draft Conditions of Approval at the June 26, 2013 hearing and continued the project
24 to a date uncertain; and

25 **WHEREAS**, a closed session was held on July 10, 2013 pursuant to
26 subdivision (b) of Government Code Section 54956.9 to provide opportunity for the
27 Planning and Zoning Commission to discuss legal action related to Planning

1 Application 06-053 for Design Review and Conditional Use Permit for St. Mary's
2 College High School located at 1600 Posen Avenue.; and

3 **WHEREAS**, the applicant amended their project description in a letter dated
4 July 10, 2013 to include a self-imposed condition related to uses of the Chapel which
5 is part this project approval; and

6 **WHEREAS**, the Planning & Zoning Commission has held public hearings on
7 September 27, 2011, October 11, 2011, September 12, 2012, September 26, 2012,
8 November 14, 2012, June 26, 2013 and September 11, 2013 and considered all public
9 comments received, the presentation by City staff, the staff report, and all other
10 pertinent documents regarding the proposed request; and

11 **WHEREAS**, a public hearing notice was sent to residents and property
12 owners within 300 ft. of St. Mary's College High School pursuant to California
13 Government Code Section 65090 for the Planning & Zoning Commission hearings
14 detailed above; and

15 **WHEREAS**, Section 20.10.030 (E) grants authority to the Planning & Zoning
16 Commission to impose Conditions of Approval to prevent or minimize impacts upon
17 the public and the City's neighborhoods to ensure compatibility of land uses; and

18 **WHEREAS**, the Conditions of Approval prepared for the Conditional Use
19 Permit presented to the Planning & Zoning Commission on September 11, 2013, were
20 the result of the professionally facilitated mediation; and

21 **WHEREAS**, the Planning & Zoning Commission held a public hearing and
22 considered all public comments received, the presentation by City staff, the staff
23 report, and all other pertinent documents regarding the proposed request; and

24 **WHEREAS**, the Planning & Zoning Commission adopted resolutions 2013-
25 02 (Mitigated Negative Declaration), 2013-03 (Conditional Use Permit), and 2013-04
26 (Design Review for new Music Building) at the September 11, 2013 regular hearing
27 by a 3-0 vote; and

1 **WHEREAS**, the Planning & Zoning Commission decision was appealed to
2 the City Council on September 25, 2013; and

3 **WHEREAS**, the City scheduled the hearing for November 18, 2013 pursuant
4 to Section 20.100.080 (E) (1) which requires that hearing be set within thirty (30)
5 days of the appeal filing and that the hearing be held within sixty (60) days of the
6 original hearing; and

7 **WHEREAS**, the City notified all appellants of the hearing date via a letter
8 dated October 18, 2013; and

9 **WHEREAS**, Planning and Zoning Code Section 20.100.080.F establishes the
10 following standards for review of appeals:

11 *When reviewing any decision of the Planning and Zoning Commission on*
12 *appeal, the City Council shall use the same standards for decision making and is*
13 *required to make findings in accordance with the Municipal Code. The Council may*
14 *adopt the Planning and Zoning Commission’s decision and findings as its own. In*
15 *either case, the City Council shall have the option to prepare a resolution stating the*
16 *council’s decision or shall render its decision by minute action.*

17 **WHEREAS**, a public hearing notice was sent to residents and property
18 owners within 300 ft. of St. Mary’s College High School pursuant to California
19 Government Code Section 65090 for the City Council appeal hearing on November 8,
20 2013; and

21 **WHEREAS**, the City Council held a public hearing and considered all public
22 comments received, the presentation by City staff, the staff report, and all other
23 pertinent documents regarding the proposed request; and

24 **WHEREAS**, the final General Plan and the Zoning Code are incorporated
25 herein by reference, and are available for review at City Hall during normal business
26 hours.

1 **NOW, THEREFORE,** the City of Albany City Council does hereby **RESOLVE** as
2 follows:

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5 Findings for Conditional Use Permit approval (Per section 20.100.030.D of the AMC)

- 6
7 1. ***Necessity, Desirability, Compatibility.*** *The project's size, intensity and*
8 *location of the proposed use will provide a development that is necessary or*
9 *desirable for, and compatible with, the neighborhood or the community.*

10 St. Mary's College High School has been operating the 12.5 acre campus
11 within the same area of Albany since 1927. The General Plan designates this
12 area for Public/Quasi Public Facilities. A private school use is conditionally
13 allowed in the PF-Public Facilities District. The project meets City zoning
14 standards for location, intensity and type of development and has been
15 conditioned to mitigate on-site and off-site impacts. As part of the project
16 approval, the applicant has requested a self-imposed condition related to the
17 use of the Chapel restricting the number of annual special events.

- 18
19 2. ***Adverse Impacts.*** *The project's use as proposed will not be detrimental to the*
20 *health, safety, convenience, or general welfare of persons residing or working*
21 *in the vicinity, or physically injurious to property, improvements or potential*
22 *development in the vicinity, with respect to aspects including but not limited to*
23 *the following:*

- 24
25 a. *The nature of the proposed site, including its size and shape, and the*
26 *proposed size, shape and arrangement of structures;*

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28 The subject site is 12.5 acres. The proposed new construction will be
29 located in the central portion of the campus and will be in scale and
30 harmony with the surrounding area.

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b. *The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;*

The proposed new use permit will not increase enrollment beyond existing numbers of students and will not change access point to the campus. In addition, the new project conditions require approval of a Transportation Demand Management Plan and a Traffic & Parking handbook. Additionally, the City of Berkeley has requested a condition to further study traffic calming measures in their jurisdiction. Stakeholders including City of Berkeley staff, City of Albany staff, St. Mary’s representatives and local residents, will convene to assess appropriate measures and implementation.

c. *The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;*

Standard conditions related to noise, glare, dust and odor have been included as part of the Use Permit. This includes conditions related to project construction as well as on-going operating conditions.

d. *Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;*

The applicant has concentrated the proposed construction projects to towards the interior of the campus. Existing landscaping will continue to be maintained and any future landscaping is required to go before the Planning & Zoning Commission for review and action.

1 3. **Consistency with Zoning Ordinance, General Plan and Specific Plan.** *That*
2 *such use or feature as proposed will comply with the applicable provisions of*
3 *this Chapter and will be consistent with the policies and standards of the*
4 *General Plan and any applicable specific plan.*

5 The City’s current General Plan does not contain specific policies related to
6 St. Mary’s. The proposed project will not be detrimental to the health, safety,
7 convenience and welfare of those in the area and would not adversely impact
8 property, improvements or potential future development in the area.

9
10 **NOW THEREFORE BE IT RESOLVED** by the City Council of the City of
11 Albany hereby approves Conditional Use Permit 06-053 St. Mary’s College High
12 School subject to Exhibit A Conditions of Approval, Exhibit B Conditional Use
13 Permit project plans, and Exhibit C Mitigation Monitoring and Reporting Program
14 (MMRP).

15
16 **PASSED, APPROVED AND ADOPTED** this 18th day of November, 2013 by the
17 following vote:

18 AYES- *Council Members: Atkinson, Barnes, Mease,*
19 *Vice Mayor Wile and Mayor Thomsen*

20 NOES- *none*

21
22 ABSENT- *none*

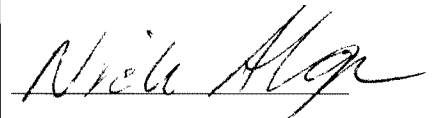
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24 ABSTENTION- *none*

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29 _____
30 PEGGY THOMSEN, MAYOR

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ATTEST:



NICOLE ALMAGUER, CITY CLERK

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EXHIBIT A
CONDITIONS OF APPROVAL
(SEPARATE PAGE)

EXHIBIT A
CITY COUNCIL RESOLUTION 2013-65
FINAL CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT 06-053
NOVEMBER 18, 2013

A. GENERAL PROJECT CONDITIONS

1. **Project Approval.** This Conditional Use Permit (CUP) approval is for St. Mary's College High School (SMCHS) located at 1600 Posen Avenue (mailing address 1294 Albina Avenue, Berkeley, CA), as substantially shown and described in the application date received April 27, 2011 (Application) and plans date received August 23, 2012, as presented to the City Council on November 18, 2013, except as may be modified by conditions herein. The operation of the school and any new construction authorized by this CUP must substantially conform to this CUP.
2. **Effect of CUP.** This CUP is the guiding document for the construction and operation of the SMCHS as it pertains to the April 2011 Application, as amended on August 23, 2012, and including the self-imposed condition of approval related to Chapel uses per St. Mary's letter dated July 10, 2013, and as presented to the City Council on November 18, 2013. In cases of conflict, it shall supersede all previous conditional use permits for SMCHS. This use permit does not modify any agreements applicable to the operation of SMCHS including the field conditions as established by PA 06-091 (approved by the Albany Planning & Zoning Commission on October 16, 2007).
3. **Design Review Required.** The CUP does not include Design Review entitlement approval for any future new construction, addition or alteration to existing buildings. Future construction will be required to go through the Design Review process pursuant to Section 20.100.050 of the Albany Municipal Code.
4. **Review of CUP Compliance/Independent Monitor.** The Planning & Zoning Commission reserves the right to review and determine if SMCHS is complying with the CUP. Failure to comply with the CUP may result in revocation of the CUP subject to public notification and formal public hearing pursuant to Albany Municipal Code Section 20.100.080.

Saint Mary's shall also pay for the City to retain the services of an independent Compliance Monitor to review and report on compliance and effectiveness of the School's implementation of project conditions and impact avoidance programs, including but not limited to:

- a. Implementation of transportation, traffic, and parking rules and other traffic calming measures;
- b. Daily traffic volumes and parking generated by school activities on Albina, Hopkins Court, and Posen;

- c. Traffic management of school events conducted in the evenings or on weekends;
- d. Implementation of athletic field conditions;
- e. Compliance with the enrollment cap.

The Compliance Monitor shall have the authority to require the school to provide information necessary to determine whether it is complying with the conditions of approval, but may not rely on the school as the only source of information.

The Compliance Monitor shall submit written monitoring reports to the City up to three times per year as requested by City staff commencing with the issuance of building permits for the first project under this CUP and at a total cost of no more than \$3,000 annually. The City shall be responsible for providing copies of the reports to the School and the Peralta Park Neighborhood Association (PPNA) and the Planning and Zoning Commission annual review, as well as presenting the reports for discussion at meetings of the Neighborhood Liaison Committee. In the event that there are two successive reports showing compliance with project conditions and impact avoidance strategies, the frequency of reporting by the Monitor shall be decreased to one monitoring report per year, for as long as the School remains in compliance with and effectively implements all of the applicable requirements of this Use Permit.

- 5. **Hold Harmless Agreement.** Pursuant to Albany Municipal Code Section 20.100.010(N), SMCHS (including any agent thereof) shall defend, indemnify, and hold harmless, the City of Albany and its agents, officers and employees, from any claim, action, or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul the City's approval concerning this application. The City will promptly notify SMCHS of any such claim, action, or proceeding and cooperate fully in the defense.
- 6. **Procedure for Amendments to the CUP.** The Community Development Director may approve minor modifications to this Use Permit and to the approved plans provided the revisions are consistent with the findings made when the permit was originally approved and comply with all other existing conditions of approval. All other changes will require approval of the Planning and Zoning Commission. Public notice shall be provided pursuant to the requirements of the Zoning Ordinance and of the California Environmental Quality Act. Minor modifications are changes that will not intensify any potential detrimental effect of the project. Refinements to specific projects approved by this CUP may be considered pursuant to Design Review procedures contained in the Planning and Zoning Code. Following receipt of a completed application, the Director shall determine whether a proposed action shall be considered an amendment or revision to the Conditional Use Permit or a change to a negotiated agreement per subsection d., and shall be subject to the appropriate level of CEQA review and Planning and Zoning Commission approval. The following changes, though not an exclusive list, shall be considered amendments or revisions to the Conditional Use Permit or a negotiated agreement requiring review:

- a. Any changes in the approved use of the site as an independent high school;
 - b. Any increase in enrollment that exceeds the maximum approved by this CUP;
 - c. Any increase in number of major after school day, weekend, or non-school day events;
 - d. Any changes in negotiated agreements, including those with neighbors or any neighborhood association;
 - e. Any construction of new buildings or structures or the enclosure of portions of existing buildings or structures allowing increased floor area above the floor area approved by this CUP;
 - f. Installation of temporary buildings, except as described in Condition F8 for use in construction;
 - g. Any changes in size or location or general function or use of buildings from what is described in the approved application;
 - h. Any changes in location of parking areas or number of parking spaces and amount of parking;
 - i. Any changes in the internal automobile circulation system that requires an increase in the width of the paved area by more than 10 percent, relocation of driveways, or change in the direction of the path of travel; or
 - j. Any changes in vehicle or pedestrian access from nearby streets onto or off of campus.
7. **Non-Conforming Uses and Structures.** All improvements and uses in place on the Effective Date of the CUP are considered lawful and may be continued in use even if such existing use or structure does not conform to existing standards (e.g., legal non-conforming uses and structures).
8. **Site Regulations.** This CUP does not constitute a granting of any variance or exception to City of Albany requirements. All future improvements associated with the CUP shall be subject to the Planning and Zoning Code requirements in effect at the time of application for Design Review, including site regulations associated with the Public Facilities zoning district. SMCHS may submit an application for a Variance as allowed by the Planning and Zoning Code, and the City has its regular discretion in consideration of any such applications.
9. **Subsequent Conditions of Approval.** The City of Albany reserves the right to impose conditions of approval related to the subsequent approval of Design Review or a building permit pursuant to Section 20.100.050 of the Albany Municipal Code. Such additional conditions shall be limited to those that are consistent with applicable Federal, State, Regional or City regulatory requirements. Subject matter covered by subsequent conditions of approval may include, but not be limited to:
- a. general engineering,
 - b. site drainage,
 - c. grading,

- d. infrastructure,
- e. utility services,
- f. repair of construction-related damage to public streets and sidewalks,
- g. water quality,
- h. air quality,
- i. off-site public improvements,
- j. pollution controls,
- k. location of construction staging, access, storage,
- l. construction noise and dust controls,
- m. campus parking during construction,
- n. construction employee parking during construction,
- o. traffic controls during construction,
- p. fire department requirements, and
- q. police department requirements.

10. **Effective Date.** The issuance of this CUP shall be effective fourteen (14) days after the Planning & Zoning Commission decision.
11. **Severability.** Approval of the CUP would not have been granted but for the applicability and validity of each and every one of the specified conditions and mitigations, and if any one or more of such conditions and mitigations is found to be invalid by a court of competent jurisdiction, this CUP would not have been granted without requiring other valid conditions and mitigations consistent with achieving the same purpose and intent of the CUP.
12. **Fees.** SMCHS shall pay all applicable City and other related fees, as may be modified by conditions herein. Fees shall be based on the fee structure in effect at the time the relevant permits are secured, and shall be paid before issuance of said permit or before any City Council final action approval. Notice shall be taken specifically of Plan Check, Engineering, Fire and Inspection Fees. SMCHS shall also reimburse the City for direct costs of planning, building and engineering plan check and inspection, as mutually agreed between the City and SMCHS.
13. **Requirement for Building Permit.** Approval of this CUP does not constitute a building permit or authorization to begin any construction or demolish an existing structure. An appropriate permit issued by the Community Development Department must be obtained before constructing, enlarging, moving, converting, or demolishing any building or structure within the City.
14. **MMRP.** The applicant shall comply with all mitigation measures associated with the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP).
15. **Compliance Plan.** Pursuant to Condition A.4, the School shall pay the City up to \$3,000 a year to retain the services of an independent Compliance Monitor to review and report on compliance with the conditions of approval of this CUP. It shall be the responsibility of the City to identify each agency or division responsible for review and the date when compliance is required. Within thirty

(30) days following project approval and prior to the beginning of each subsequent school year until final completion of the total project, the project applicant shall submit a conditions compliance matrix to the Planning and Building Departments that lists each condition of approval and how/when the project applicant has met or intends to meet the conditions. The Director of Community Development (the Director), in his/her sole discretion, may refer review of compliance with the Conditions of Approval to the Planning and Zoning Commission.

- a. Ongoing conditions shall specify a date for the document or compliance plan to be submitted, as applicable. The applicant shall notify the Director if a deadline listed on the Matrix has or will be missed.
 - b. Prior to issuance of the certificate of occupancy for each project approved pursuant to this CUP, a final inspection shall occur that verifies that all landscaping and on and off-site improvements associated with that project are completed in accordance with the Conditions of Approval. A certificate of occupancy shall not be issued if landscaping and improvements are not installed per plan. For purposes of these Conditions of Approval, a certificate of occupancy shall mean a final certificate of occupancy, not temporary or conditional, except as the City determines may be necessary to test utilities and services prior to issuance of the final certificate of occupancy.
 - c. Prior to issuance of the first certificate of occupancy, a parking and traffic management plan must be submitted that includes the traffic mitigation measures pursuant to the conditions in this document. The parking lot adjacent to the Music Building may not be opened for use until a plan is adopted.
16. **Vesting & Expiration.** The issuance of this CUP shall be vested upon the initiation of substantial construction in furtherance of the projects described in the 2011 application for use permit. The original term and renewal of the Use Permit and Design Review shall be governed by Section 20.100.010 of the Albany Municipal Code. Any further CEQA review of the components of the project shall be governed by Public Resources Section 21166 and implementing regulations (14. California Code of Regulation Section 15612).

B. OPERATING CONDITIONS

1. **California Environmental Quality Act.** Pursuant to the California Environmental Quality Act (CEQA) requirements, an Initial Study and Mitigated Negative Declaration on the Campus CUP Project date released June 6, 2012 was prepared and approved by the City Council on November 18, 2013. The MMRP is incorporated by reference and included as Exhibit C.
2. **Approved Use.** The primary use of the SMCHS campus is a private coeducational high school (grades 9 through 12) operated by a religious corporation under the Nonprofit Religious Corporation Law for religious purposes. SMCHS shall maintain in good standing and accreditation. Other ancillary or

temporary uses, shall be limited to activities typically pursued by private East Bay high schools and shall be related to the school's religious purpose, educational mission, or related community service. All ancillary or temporary uses shall comply with all relevant conditions of approval.

3. **School Calendar.** Saint Mary's regular academic year courses and programs shall take place from mid-August to mid-June. Summer courses and athletic and other programs shall take place from mid-June to the end of July. Regular sports programs shall commence at the beginning of August. Saint Mary's also observes a holiday break at the end of December.

The school shall publish a calendar for the year of all campus events, including athletic events held on the field or in the gymnasium. The school shall distribute the calendar at least two weeks in advance of the start of school in August and an updated calendar soon after the resumption of school following the Christmas break to all neighbors located within 300 feet of the school or residing on streets restricted from student parking. The calendar shall include a directory of contact phone numbers for the Director of Community Relations and any hotlines, whether manned or recorded, for neighbors to report problems. Further, Saint Mary's shall maintain on its website an up-to-date consolidated calendar of events that may or would impact neighborhood traffic or parking. Events shall be placed on the calendar as they are scheduled.

4. **Enrollment.** St. Mary's College High School (SMCHS) may operate a co-educational high school facility for grades 9 through 12 beginning in September, 1995, for up to 600 total students. The maximum enrollment figures may be exceeded on an absolute basis by up to five percent to allow for attrition and other student body changes.
5. **Summer Programs.** Academic, sports, student leadership, and student activities programs shall take place from mid-June through July. Attendance shall not exceed 300 students on any given day. All summer activities shall comply with all relevant conditions of approval. Summer programs, considered cumulatively, shall not cause any overall increase in impact to the surrounding neighborhood in terms of noise, traffic, or parking. No summer programs shall be scheduled on weekends or holidays.

Whenever possible, phasing of major construction should be scheduled so that major interruptions to the availability of on-campus parking and heavy construction-related traffic occur during summer months. During these periods of time, summer programs should be reduced in scale as necessary to accommodate construction activity.

6. **Hours of Operation.** Academic programs shall be scheduled to begin no earlier than 7:00 a.m. Student activities such as athletics and performing arts shall be completed by 10:30 p.m. with guests and participants off campus and cleared from the neighborhood by 11:00 p.m. SMCHS is allowed six events per year that shall be completed by 12:00 midnight with guests and participants off campus

and cleared from the neighborhood by 12:30 a.m. This principle of timely clearing of the campus and the neighborhood shall apply regardless of when any event actually ends. These hours of operation do not preclude occasions when students remain on site at night for yearbook work sessions, read-a-thons, movie nights, and other supervised indoor activities that have no impact on the neighborhood with regard to noise, parking, and traffic.

7. **Gross Square Footage.** The total gross square footage of building area and classroom space on the campus shall be consistent with the plans provided by the applicant date stamped received August 23, 2012. Approximately 652 sq. ft. in Cronin Hall previously restricted from use shall be returned to use. It is duly noted that the Brothers' Residence, which is a non-conforming use, has been withdrawn from the application, resulting in a decrease of 2,500 sq. ft. from the project scope proposed in the application of April 2011.
8. **Emergency Preparation, Response, and Recovery.** St. Mary's shall prepare and submit to the Albany and Berkeley Fire Chiefs an Emergency Management Plan. The plan shall be prepared based on guidelines from the Cities of Albany and Berkeley.
9. **Chapel Use.** The chapel is primarily intended for use by Saint Mary's students, faculty, and staff on school days and only infrequently on weekends, and by the Brothers Community. Saint Mary's does not propose to use the chapel for religious services that are open to the general public in the same manner as a parish church at any time.

As a special exception, the chapel may be used two times annually for religious ceremonies for members of the wider school community, such as weddings, memorial services, or masses, which have in the past and may in the future be conducted in other buildings on the campus. (This limitation on the use of the chapel on weekends does not apply to the November Memorial Mass, the Baccalaureate Mass, and Masses or Prayer Services held in conjunction with alumni reunions, all of which are current practice and, with the exception of the Baccalaureate Mass, are not major events, nor would it apply to other uses of the chapel that have no impact on neighborhood traffic and parking, such as athletic teams gathering for prayer before or after a game, nor to the two or three inaugural events opening the chapel.)

On the rare occasions when the chapel is going to be used on weekends for the two special events, Saint Mary's would propose arrangements for parking, managing traffic, and other issues to the Neighborhood Liaison committee for review and comment. With the exception of memorial and other services that preclude sufficient lead time, such events would be referred to the Committee well in advance of the event. No special exception event would be scheduled on the same weekend day as an athletic event or other event that can be anticipated to attract significant traffic to the campus. In addition, events in the chapel would be subject to the same rules and procedures regarding traffic, noise, and other possible disturbances to neighbors as apply to other events

conducted outside of regular school hours, particularly conditions D8 and D9. (Per St. Mary's letter dated 7/10/13)

C. CONSTRUCTION REQUIREMENTS

- 1. Construction Hours.** Generally, construction shall be restricted to the hours of 8:00 a.m. to 6:00 p.m. Monday through Friday.
 - a. Saturday construction activity shall be allowed for concrete pouring or to remedy unanticipated construction delays. After the building is enclosed, construction may occur on Saturdays within the interior of the building. Saturday construction shall be restricted to the hours of 8:00 a.m. to 6:00 p.m.
 - b. When possible, neighbors within 300 feet of the school shall be provided one week's notice by postcard of construction scheduled for Saturdays.
 - c. No construction shall take place on Sundays and holidays.
 - d. Contractors shall be prohibited from making deliveries on Sundays and holidays.
 - e. Failure to comply with construction hours or violations of the City's noise ordinance may result in stop work orders.
 - f. Saint Mary's shall require the contractor to provide neighbors with a phone number at which the contractor may be reached when construction is occurring.

- 2. Construction Traffic and Parking.** Prior to the issuance of a demolition, grading or building permit, SMCHS and the construction contractor shall meet with appropriate City of Albany agencies to determine traffic management strategies to reduce, to the maximum extent feasible, traffic congestion and the effects of parking demand by construction workers during construction and other nearby projects that could be simultaneously under construction. SMCHS shall develop a construction management plan for review and approval by both the Albany and Berkeley Planning and Zoning Departments. The plan shall include at least the following items and requirements:
 - a. A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes.
 - b. Prior to issuance of a building permit, SMCHS shall submit a site security and safety plan to assure that grading and construction activities are adequately secured during off-work hours.

- c. Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours and lane closures will occur.
 - d. Location of construction staging areas for materials, equipment, and vehicles at an approved location as far as practicable from nearby residences.
 - e. A process for responding to, and tracking, complaints pertaining to construction activity, including identification of an onsite Construction Operational Control Manager, whose name and phone number shall be provided to all neighboring properties within 500 feet of the campus property line and who shall be on call during all construction hours. The Manager shall determine the cause of the complaints and shall take prompt action to correct the problem. Planning and Zoning shall be informed who the Manager is prior to the issuance of the construction, grading or building permits for each project component.
 - f. Provision for accommodation of pedestrian and bicycle flow.
 - g. Provision for parking management and spaces for all construction workers and their equipment to ensure that construction workers or construction equipment and vehicles do not occupy on-street spaces nor displace parking for students and school staff.
3. **Storm Water Management.** SMCHS shall obtain all necessary development and land subdivision permits for the portions of the storm water management systems that are located within the City of Berkeley. Storm water management plans shall be consistent with C3 compliance standards.
4. **Stormwater Pollution Prevention Plan.** The project developer shall submit a Stormwater Pollution Prevention Plan (SWPPP) for review by the City before the issuance of a building and/or grading permit. The SWPPP shall be consistent with standards adopted by the Regional Water Quality Control Board and the City of Albany Clean Water Program and implemented by the project general contractor, all subcontractors and suppliers of material and equipment. The SWPPP shall also include construction phase water retention, water quality, and erosion control measures. The project developer shall be responsible for SWPPP compliance. A copy of the SWPPP shall be kept at the construction site at all times.
5. **Fire Department Approval.** As part of a building permit application, the applicant shall submit written documentation that all requirements of the Albany Fire Department have, or will be, met to the satisfaction of the AFD.
6. **Engineering Approval.** As part of a building permit application, the applicant shall submit written documentation that all requirements of the Public Works Department have, or will be, met to the satisfaction of the City Engineer.
7. **Archeological Remains.** In the event subsurface archeological remains are discovered during any construction or preconstruction activities on the site, all land alteration work within 100 feet of the find shall be halted, the Community

Development Department notified, and a professional archeologist, certified by the Society of California Archeology and/or the Society of Professional Archeology, shall be notified. Site work in this area shall not occur until the archeologist has had an opportunity to evaluate the significance of the find and to outline appropriate mitigation measures, if deemed necessary. If prehistoric archeological deposits are discovered during development of the site, local Native American organizations shall be consulted and involved in making resource management decisions.

8. **Grading Permit.** Any grading shall require a grading permit from the Community Development Department. To obtain this permit, the applicant shall submit a grading plan, indicating the extent and volumes of earth proposed to be moved. A grading permit is subject to 2010 California Building Code, Appendix 33.
9. **Demolition Permit.** Site demolition and/or building permits shall not occur until construction permits are issued. All demolition shall be in accordance with permits issued by the City and Bay Area Air Quality Management District (BAAQMD).
10. **Water on Site.** The site shall be graded so as to prevent rainfall runoff originating from improved areas on the project site from crossing onto adjoining private property. Building floor elevations shall be above the FEMA-mapped 100-year flood plain as established by a licensed civil engineer. Saint Mary's shall provide the elevation and compaction certificates during and upon the completion of grading required by the Uniform Building Code and in conformance with the recommendations of the geotechnical engineer's report, and shall shore and dewater all excavations in accordance with the requirements of the geotechnical engineer's report.
11. **Flooding Damages.** SMCHS shall execute an assumption of risk, indemnification and hold harmless agreement as required by the City. The agreement, in substance, shall state that the project developer, and any successor in interest, shall assume all risk for damages to the project and to project improvements, flooding caused by surface water intrusion, stormwater runoff, or water under the ground surface pressing on or flowing or seeping through foundations, walls, floors, or paved surfaces, basements, whether paved or not, or windows, doors or other openings, and shall indemnify and hold the City harmless from any claims of such damages, including third-party claims, of such damage or of such damages or of damages arising from rainfall runoff which is not prevented from leaving the project site in violation of Condition 11.
12. **Dust Control Program.** A dust control program shall be prepared and approved by the Community Development Department and City Engineer before issuance of a grading permit. The dust control plan shall address such items as covering stockpiled material, frequent watering of graded areas, revegetating graded areas, speed limits for grading equipment and similar items.

- 13. Construction Related Noise Control.** Noise related to construction is covered by the construction management plan and the Mitigation Monitoring and Reporting Program (MMRP), which include measures to reduce construction period noise. The Contractor shall be required to comply with all relevant provisions of the City of Albany Municipal Code, Chapter VIII, Law Enforcement, 8-1 Noise. Saint Mary's agrees to restrict construction activity exceeding 90 dBA as measured at the property line to the hours of 9:00 a.m. to 4:00 p.m. Monday through Friday.
- 14. Rain Garden.** Saint Mary's will require its engineering consultant to design the "rain garden" or other water runoff management system to comply with all applicable existing runoff and pollution control requirements as they relate to runoff, storm drains, and Cordornices Creek. Saint Mary's shall secure any necessary approvals and permits from the City of Berkeley and shall operate and maintain the "rain garden" and water management system in compliance with such permits. Saint Mary's shall prepare and record an easement on the subject property (commonly identified as_1292 Monterey) to preserve the property as part of the rain garden in perpetuity.

D. TRANSPORTATION MANAGEMENT

- 1. Transportation Coordinator.** SMCHS shall designate a staff person as the school's Transportation Coordinator, responsible for traffic, parking and events. SMCHS shall adopt written parking and traffic rules and procedures, and incorporate rules and procedures by reference in all enrollment contracts with student families.
- 2. Traffic Monitors.** The Transportation Coordinator shall retain traffic monitors or assign them from the existing SMCHS community to oversee morning and afternoon school commute traffic and after school events that impact neighborhood traffic and parking. The traffic monitors shall be responsible for facilitating traffic and enforcing the rules of conduct included in the Handbook and the Transportation Demand Management Program (TDM). Morning monitors shall stay in place until the school day begins. Traffic monitors shall be provided with colored safety vests. The traffic monitors shall report violators of the driving and parking rules to the Transportation Coordinator.

School Traffic Monitors and the Compliance Monitor will observe and report on the level of student traffic on Albina during the lunch hour and, at such time monitors identify lunchtime traffic as a problem, the School may prohibit students from driving off campus during the lunch hour without written authorization from the Transportation Coordinator.

- 3. Transportation Demand Management Program.** The draft TDM submitted by SMCHS as part of this application request shall be revised to incorporate recommendations from the traffic management and calming study conducted by a consultant pursuant to Condition D.4. The TDM shall be submitted to the

Community Development Director for evaluation by the Albany Traffic & Safety Commission, in consultation with the appropriate Berkeley agencies, for conformance with the recommendations and with the following demand management goals. If the Commission determines that the draft TDM is inadequate, the applicant shall revise the document to the satisfaction of the Traffic & Safety Commission for final approval.

Goals of the TDM shall include but not be limited to the following:

- a. Maximizing pedestrian and vehicle safety;
- b. Minimizing traffic congestion and vehicle queuing;
- c. Minimizing adverse impacts on availability of parking on surrounding streets;
- d. Reducing the number of car trips to campus. Means of reduction may include, but not be limited to, the following:
 1. Encouraging students and faculty to take public transportation, carpool, walk/bike to school;
 2. Actively pursuing an increase in AC Transit service to the school;
 3. Actively pursuing transportation links between campus and BART and/or major AC Transit lines during peak hours;
 4. Providing discounted BART passes.

Saint Mary's shall survey students, faculty, and staff annually in order to determine the modes of transportation being used to evaluate progress on these goals.

- 4. Traffic Calming.** Saint Mary's shall pay up to \$25,000 to cover the necessary and reasonable cost of a traffic consultant hired by the City of Albany to prepare a plan to manage and calm traffic on residential streets in the immediate vicinity of the campus and to pay for improvements identified in the plan including, but not limited to:

- a. Installation of a speed table on Albina Avenue;
- b. Installation of signs announcing 15 mph speed limit on Albina;
- c. Striping of drop-off zones and installation of signs identifying drop-off locations that have been identified as appropriate by the traffic consultant;
- d. Installation of signs prohibiting U-turns on Monterey.

In addition, the traffic consultant shall determine the best method for equitably distributing traffic around campus so that no neighborhood is unduly burdened. The Community Development Director shall submit the traffic calming plan and the redistribution plan to the City of Albany Traffic & Safety Commission and appropriate City of Berkeley agencies for review and any necessary action prior to the issuance of a Certificate of Occupancy for the Music Building and adjacent parking lot.

- 5. Traffic and Parking Handbook.** Following installation and implementation of traffic calming measures recommended by the traffic consultant pursuant to this

CUP, the school's Traffic and Parking Management Handbook shall be revised to contain written instruction on the rules of conduct and visual guides such as maps of approved routes and pick-up/drop-off times and locations for students and for visitors for events on campus. The Handbook will be revised to implement trip reduction measures proposed by the traffic consultant and incorporated in the approved traffic and parking management plan, and shall include the following provisions:

- a. Prohibit parking by students or employees on the following streets surrounding campus: Albina Ave., Hopkins Ct., Hopkins St., Monterey Ave., Beverly Pl., Ventura Ave., West Pl., Ordway St., and Peralta Ave., and in front of residences on Posen Ave;
- b. Require that family members and others dropping off and/or picking up students before or after school use designated locations;
- c. Prohibit use of Hopkins Ct. for any commuting or other School-related traffic;
- d. Prohibit double-parking at or near any pick up/drop off location;
- e. Prohibit U-turns on Posen and Monterey;

The Handbook shall state that violation of parking and traffic rules and procedures by any student, student family member, or employee/contractor, shall result in progressive discipline, including fines, suspension, and expulsion of the student or termination of employment of employee/contractor.

- 6. Communication of Rules.** At the beginning of each school year, each student and parent driver and each faculty and staff member who drives to school, and each new driver throughout the year, shall sign a separate contract acknowledging receipt and understanding of the traffic and parking rules, which shall include progressive discipline for violations including suspension of parking privileges and, possibly, expulsion or termination of employment for major violations. Traffic monitors shall be responsible for recording the license numbers of any vehicles observed violating the rules in the Handbook and reporting license numbers to the Traffic Coordinator for appropriate action. Neighbors who observe violations of any traffic or parking rules may report such violations to the School's Traffic Coordinator who shall maintain a log that records violations and any actions taken. The log shall be made available to the Compliance Monitor for review.
- 7. Annual Report Process.** SMCHS shall prepare and submit an annual report summarizing construction management, event management, transportation management, and athletic field usage. The Planning and Zoning Commission shall hold a public hearing on the annual report, which shall include the compliance report of the Independent Monitor. Public notice shall be provided 10 days before the public hearing to all property owners and residents within 300 feet of the campus. The purpose of the public hearing is to receive public comment on construction management, event management, transportation management, and athletic field usage during the prior year and review operating parameters to ensure that SMCHS is operating consistent with CUP and other City requirements.

8. Event Management. SMCHS shall designate a staff person as the school's Events Coordinator, responsible for preparing and distributing to all staff and faculty written procedures regarding the scheduling of evening and weekend events that may result in exceptional traffic and parking volumes on nearby residents. Particular consideration shall be given to:

- a. Limiting large events held in the evenings and on weekends to functions that are germane to the school's educational and religious mission;
- b. Providing advance notice to neighbors of large events;
- c. Avoiding scheduling simultaneous events that cumulatively overwhelm neighborhood roadway and parking capacity; and
- d. Discouraging students and guests from congregating outdoors in parking areas or public right of way close to nearby residences after evening and weekend events.

The number of non-athletic events that exceed the capacity of on-site parking shall be limited to nine per year. Exceptions to this number may be granted by the Community Development Director on rare occasions for extraordinary events.

The mission of Saint Mary's, as defined in the application associated with this Conditional Use Permit, is "...as a college preparatory high school that provides students with a quality human and Christian education."

9. Managing Major Events. The traffic management and traffic calming study shall evaluate and recommend measures to include in the TDM for managing traffic generated by Major Events when the on-site parking is not sufficient for the number of guests expected. Measures may include shuttle or valet services and/or off-site overflow parking options. Traffic monitors shall be positioned during overflow events to intercept and direct traffic to overflow parking off-site locations prior to its entering Albina and Posen Avenues or Hopkins Court once on-site spaces are occupied. Written copies of overflow parking agreements with the owners of the overflow parking lots shall be submitted to the City to be kept with the file.

E. SCHOOL COORDINATORS AND NEIGHBORHOOD OUTREACH

1. **Construction Management.** The school shall designate a staff person as the school's Construction Coordinator, responsible for neighborhood outreach during the construction projects. Construction management responsibilities include scheduling a preconstruction meeting with neighbors before the start of construction of any significant element as approved by the CUP.
2. **Neighborhood Liaison Committee.** The City shall create a Neighborhood Liaison Committee in order to resolve and avoid conflicts and maintain communications between the school and the surrounding neighborhoods. The

Committee shall include the school's Director of Community Relations and the Transportation Coordinator, and up to two more representatives from campus; and up to four members of the Peralta Park Neighborhood Association (PPNA) representing and selected by neighbors surrounding the campus, particularly residents of Monterey Avenue, Albina/Hopkins Ct., and Posen/West/Beverly/Ventura. Representatives of other streets may be added if a majority of the members deems it necessary. The Committee shall meet at least twice a year to discuss issues. However, the Committee shall hold additional meetings as recommended by the neighborhood participants, or fewer if all parties agree. In no case shall there be less than one meeting per year. The City of Albany may appoint an ex officio representative to the NLC.

3. **Point of Contact.** SMCHS shall designate a representative on-site to act as the primary point of contact and as the Director of Community Relations (DCR). The DCR shall develop a list of procedures and protocols to track and respond in a timely manner to complaints and/or concerns raised by neighbors which are related to the school's operations including, but not limited to, traffic, noise, and parking. The procedures and protocols shall include methods for resolving issues and shall define 'timely' so that a method exists for measuring efficacy.

F. DESIGN REVIEW REQUIREMENTS

1. **Application for Design Review.** All new construction and renovation of existing structures, including fencing and other screening, are subject to Design Review, pursuant to Planning and Zoning Code Section 20.100.050, as may be amended from time to time.
2. **Material Samples.** Samples of final exterior materials and the proposed color palette shall be submitted for review and approval to the Community Development Department as part of building permit application.
3. **Exterior Lighting.** As part of the Design Review process, SMCHS shall submit a lighting plan, which shall be reviewed and approved by the Planning and Zoning Commission, prior to processing a building permit application.

All light fixtures shall be International Dark Sky Association compliant and the exterior lighting system including all building and pole and ground mounted luminaries shall have lighting power densities compliant with ANSI/ASHRAE/IESNA Standard 90.1-2007 and shall produce a maximum initial luminance value no greater than 0.10 horizontal foot candles at the site boundary and no greater than 0.01 horizontal foot candles 10 feet beyond that boundary. All exterior lighting shall be installed in such a manner that glare is shielded or directed away from surrounding properties and rights-of-way. Required exterior light fixtures shall be equipped with 'cut off' lenses to minimize light and glare spill over onto adjacent properties.

4. **Interior Lighting.** Interior lighting shall be provided with occupancy and/or time of use controls and installed in a manner to avoid direct illumination or glare outside of the building. A final site lighting plan demonstrating compliance with this standard shall be submitted to the Planning & Zoning Commission as part of Design Review.
5. **Landscape Plan.** As part of the Design Review process, SMCHS shall submit a landscape plan, which shall be reviewed and approved by Planning and Zoning Commission, before processing a building permit application. The landscape plan shall show existing landscaping, landscaping to be removed, proposed landscaping, and irrigation systems. The landscape plan shall include a landscape maintenance agreement to be completed between the City and SMCHS before installation of landscaping, to guarantee the establishment of new trees and landscaping as approved by design review.
6. **Signage.** All construction/installation of signage shall be subject to the standards and procedural requirements of the Planning and Zoning Code.
7. **Public Art.** As part of the Design Review, SMCHS shall submit to the Arts Committee and the Planning and Zoning Commission a conceptual description of the public art elements of the project, pursuant to the procedures in place at the time of the application for Design Review.
8. **Temporary Buildings and Storage Containers.** No additional storage containers or temporary buildings shall be allowed on campus at any time, unless expressly approved by the City of Albany as part of design review or a building permit. As a condition of approval of the use of shipping containers or temporary building, a fixed date for removal must be established. While in use, square footage of temporary buildings and storage containers shall count towards total square footage allowed in the CUP. No additional storage containers or temporary buildings shall be converted to classroom facilities or to free up other space that could be converted to classroom facilities except as needed arising from an emergency, including but not limited to a fire or natural disaster. (Construction trailer and portable rest rooms associated with an active construction project are not subject to this requirement.) At build-out of the CUP, all such temporary buildings and storage containers must be removed.
9. **Sustainable Building Practices.** As part of an application for design review approval, SMCHS shall meet the requirements of the City of Albany Green Building requirements utilizing LEEDS for schools and shall seek to achieve the maximum feasible number of points.
10. **Codornices Creek.** Codornices Creek should be considered an important campus asset and building design should allow for views and access to the creek as applicable. In addition, any construction of structures, grading, landscaping or other site work within 100 feet of the center-line of Codornices Creek shall take into consideration regulatory requirements and best management practices including preservation and enhancement of riparian

vegetation, preservation of habitat, improving water quality in the creek, erosion control, etc.

11. **Refuse & Recycling Enclosures.** Refuse and recycling enclosures shall be screened from view of the neighboring properties. All enclosures shall be kept rodent and odor free.

G. PARKING CONDITIONS

1. **Parking.** The general configuration and location of on-campus parking shall conform to the approved CUP plans. Prior to issuance of the building permit for each project covered by this use permit, SMCHS shall submit a construction parking and construction access plan for review and approval by the Director of Community Development. The Director may submit the plan to the Planning & Zoning Commission for review and approval before processing a building permit application. The Community Development Director may approve short term (30-days or less) reductions in on-campus parking or changes in construction access.

The addition of 24 parking spaces included in the current application, together with the existing parking spaces on campus, satisfies the Zoning Ordinance requirement for student, employee, and Brothers parking on campus. Therefore, the 44 additional spots on Posen previously allowed to satisfy city parking requirements shall no longer be considered campus parking to satisfy those requirements. At no time shall the overall SMCHS student, faculty, staff, and school vehicle parking demand exceed the 151 space parking capacity.

2. **Parking Dimensions.** Dimensions and landscaping of parking areas shall comply with the requirement of the Planning and Zoning Code and the California Building Code.
3. **Parking of School-owned Vehicles.** The location of parking spaces reserved for school-owned vehicles shall take into consideration the appearance from neighboring properties or the public right-of-way and shall be screened or landscaped where practical.

H. NOISE

1. **Noise General.** The School operation shall comply with Section 8-1 "Noise of the Albany Municipal Code at all times.
2. **Noise Generation.** The installation of any bells or loudspeakers shall comply with the City of Albany's noise standards, and are subject to review by the Community Development Department and/or the Planning and Zoning Commission.

3. **Music Building.** If the Music Building fails to perform as intended such that sound emanating from it violates any of the provisions of the City of Albany Municipal Code and Charter Chapter VIII Law Enforcement 8-1 Noise, Saint Mary's will remedy the problem by either adjusting or ceasing those activities causing the noise, or will shut doors and windows to reduce the amount of sound escaping the building, or will take other appropriate measures, as necessary.

In the event that none of the above measures remedy the problem, the following restrictions shall be placed on the use of the building: it shall only be used Monday through Friday between the hours of 8:00 a.m. and 6:00 p.m. during the school year, and Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m. during the summer.

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EXHIBIT B
CONDITIONAL USE PERMIT PLANS
(SEPARATE PAGE)

CONDITIONAL USE PERMIT APPLICATION

SAINT MARY'S COLLEGE HIGH SCHOOL

DAHANUKAR BRANDES ARCHITECTS

ARCHITECTURE PLANNING INTERIOR DESIGN
 907 GREENHILL ROAD, MILL VALLEY, CA 94941
 415.383.7625

VERDE DESIGN, INC

LANDSCAPE ARCHITECTURE
 2455 THE ALAMEDA, SUITE 200 - SANTA CLARA, CA 95050
 408.985.7200

JACOBS ENGINEERS

CIVIL CONSULTANTS
 370 VILLAGE SQUARE - ORINDA, CA 94563
 925.254.9525

OLMM CONSULTING ENGINEERS

STRUCTURAL ENGINEERING
 1404 FRANKLIN STREET, SUITE 350 - OAKLAND, CA 94612
 510.433.0828

SJ ENGINEERS

MECHANICAL & PLUMBING ENGINEERING
 300 FRANK H OGAWA PLAZA - OAKLAND, CA 94612
 510.832.1505

O'MAHONY & MYER

ELECTRICAL ENGINEERING & LIGHTING DESIGN
 4340 REDWOOD HIGHWAY, SUITE 245 - SAN RAFAEL, CA 94903
 415.492.0420

CHARLES M SALTER ASSOCIATES, INC

ACOUSTICAL CONSULTANTS
 130 SUTTER STREET, SUITE 500 - SAN FRANCISCO, CA 94104
 415.397.0442

GEOENGINEERS

GEOTECHNICAL ENGINEERING & CONSULTING
 484 N. WIGET LANE - WALNUT CREEK, CA 94598
 925.945.0677

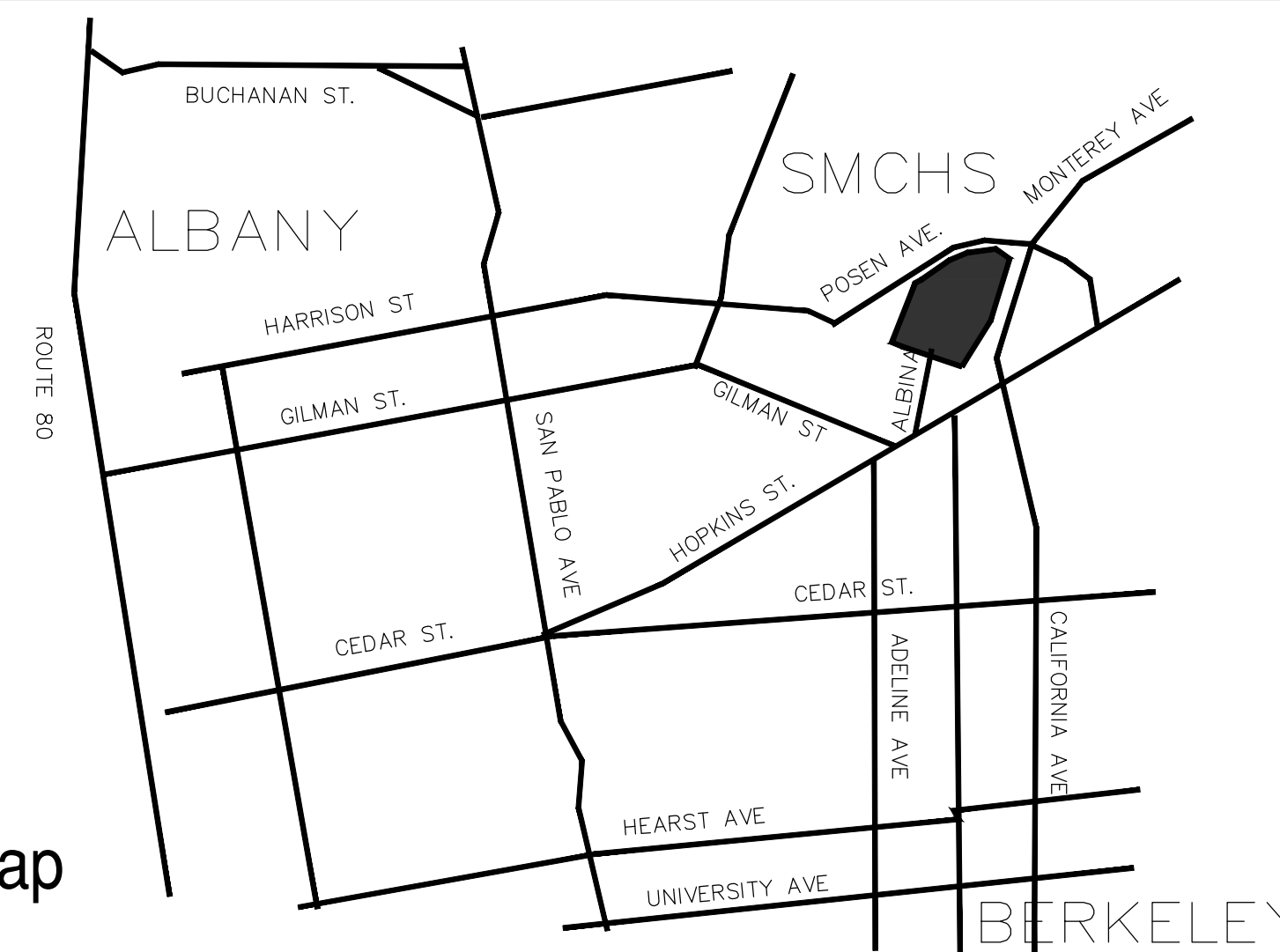
ENOVITY, INC

ENERGY SERVICES
 100 MONTGOMERY STREET, SUITE 600 - SAN FRANCISCO, CA 94104
 415.974.0390

ALBANY PROJECT ADDRESS
 1600 POSEN AVENUE

MAILING ADDRESS
 1234 ALBINA AVENUE, PERALTA PARK
 BERKELEY, CALIFORNIA 94706

ZONING DISTRICT: PF (PUBLIC FACILITY)



Vicinity Map

DRAWING INDEX

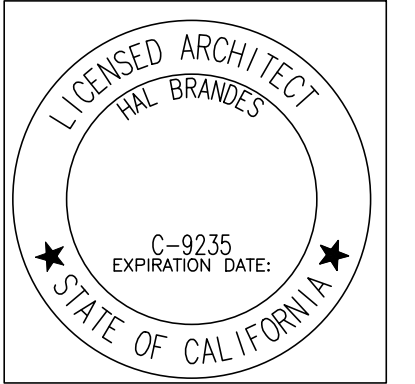
1. TITLE SHEET
2. EXISTING SITE PLAN
3. PROPOSED CAMPUS PLAN
4. CIRCULATION & PARKING PLAN
5. GRADING & DRAINAGE
6. TREE LOCATIONS
7. COMPOSITE PLAN
8. SITE SECTIONS
9. SHEA STUDENT CENTER
10. CHAPEL
11. SAINT JOSEPHS PLANS
12. SAINT JOSEPHS ELEVATIONS & ROOF

DRAWINGS FOR CRONIN HALL AND THE MUSIC BUILDING SUBMITTED SEPARATELY FOR DESIGN REVIEW.

PROJECT SUMMARY

1. - MUSIC BUILDING
 BAND ROOM, VOCAL ROOM AND PRACTICE ROOMS
 1 FLOOR, PARTIAL BASEMENT
2. - CRONIN HALL - RENOVATION & CLASSROOM CONVERSION
 1 & 2 FLOORS, EXISTING BUILDING
3. - STUDENT CENTER - RENOVATION & KITCHEN EXPANSION
 1 & 2 FLOORS, EXISTING BUILDING
4. - CHAPEL
 1 FLOOR
5. - ST. JOSEPH'S HALL - RENOVATION & EXPANSION
 2 & 3 FLOORS, EXISTING BUILDING & NEW EXPANSION

ALL ELEVATIONS BASED ON NGVD 29
 NATIONAL GEODESIC VERTICAL DATUM



Revisions	No.	Date	Description
	1	1/21/12	REVISION 1
	2	8/10/12	REVISION 2
	3		
	4		
	5		
	6		

DAHANUKAR BRANDES ARCHITECTS
 ARCHITECTURE PLANNING INTERIOR DESIGN
 907 GREENHILL ROAD, MILL VALLEY, CA 94941
 415-383-7625

USE PERMIT APPLICATION - 4/11/11
SAINT MARY'S COLLEGE HIGH SCHOOL
 1234 ALBINA AVENUE, PERALTA PARK
 BERKELEY, CALIFORNIA 94706

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Date: 4/11/11	1
Drawn By: BDB/HB	
Checked By:	



December 22, 2010

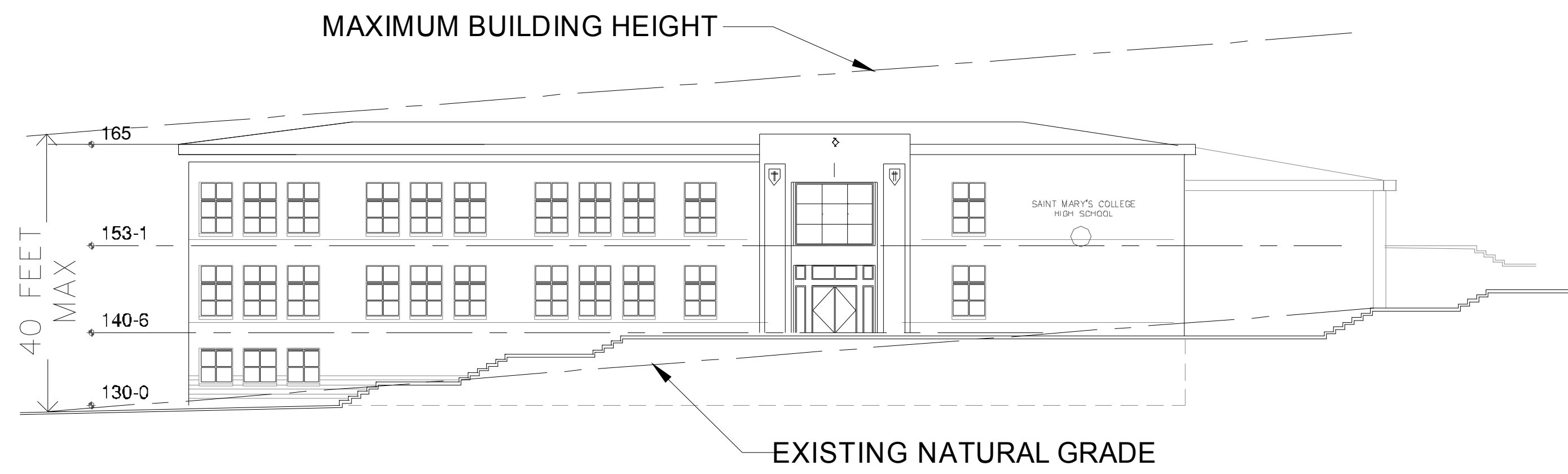


Planting Zones

Saint Mary's College High School



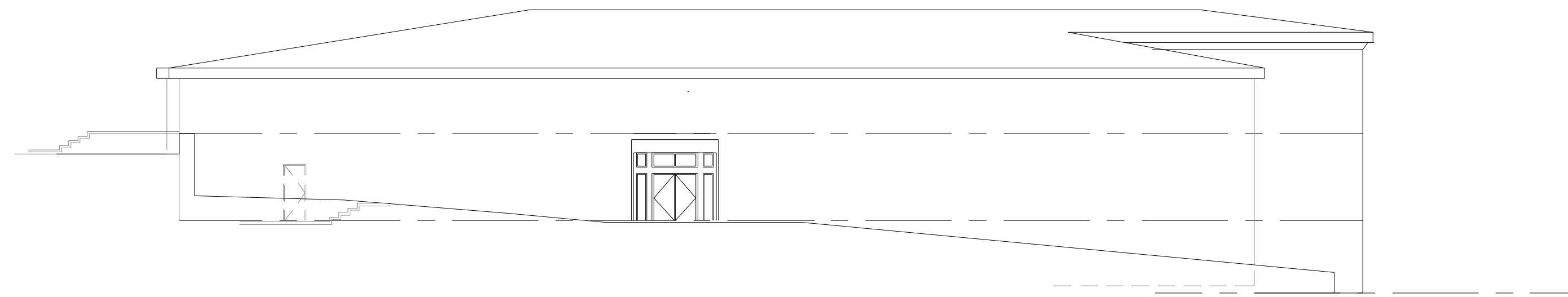
LANDSCAPE ARCHITECTURE
 CIVIL ENGINEERING
 SPORT PLANNING DESIGN
 2455 The Alameda, Suite 200
 Santa Clara, CA 95050
 t: 408.985.7200
 f: 408.985.7260



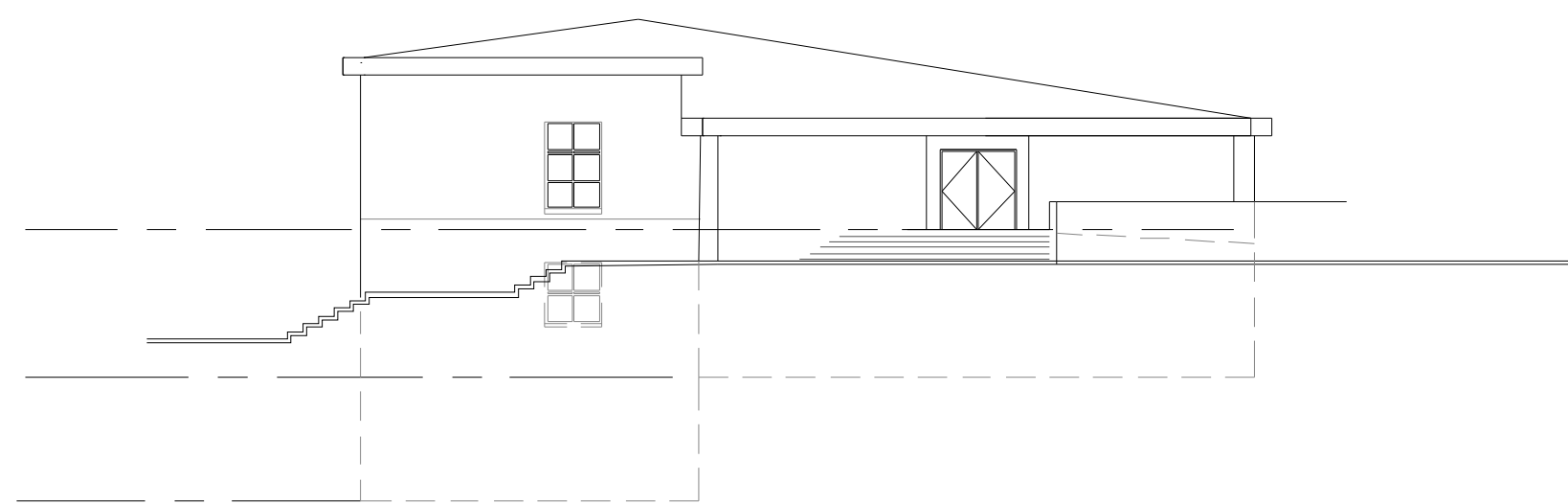
EAST ELEVATION



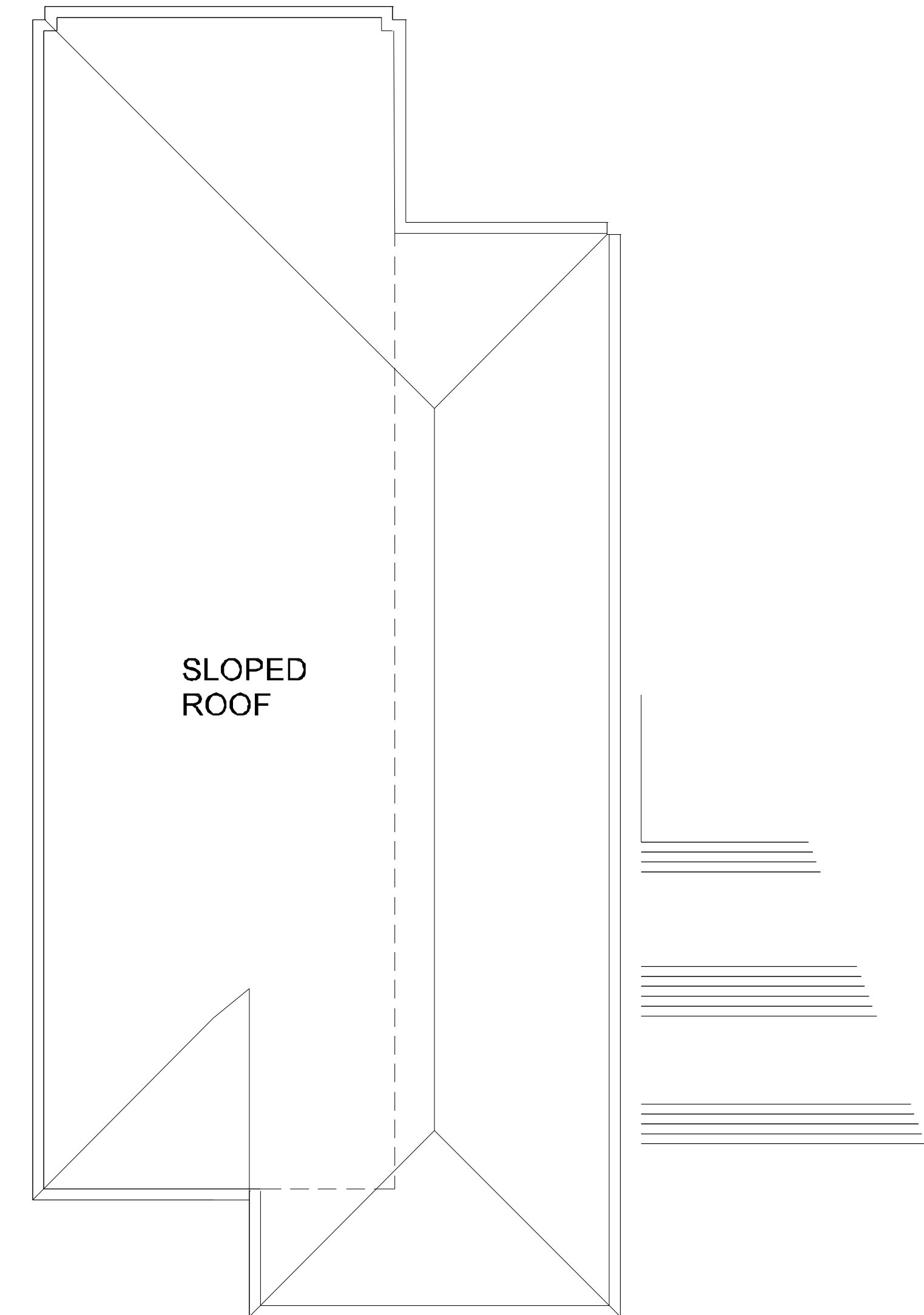
SOUTH ELEVATION



WEST ELEVATION



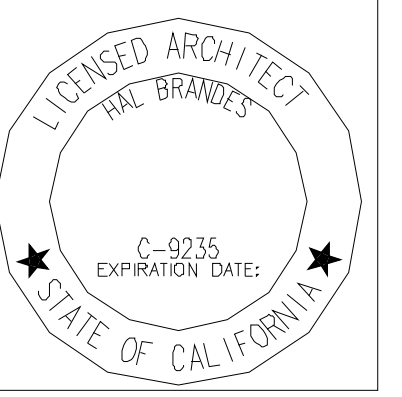
NORTH ELEVATION



ROOF

ELEVATION 165.0 AT EAVE

SAINT JOSEPHS HALL RENOVATION & EXPANSION

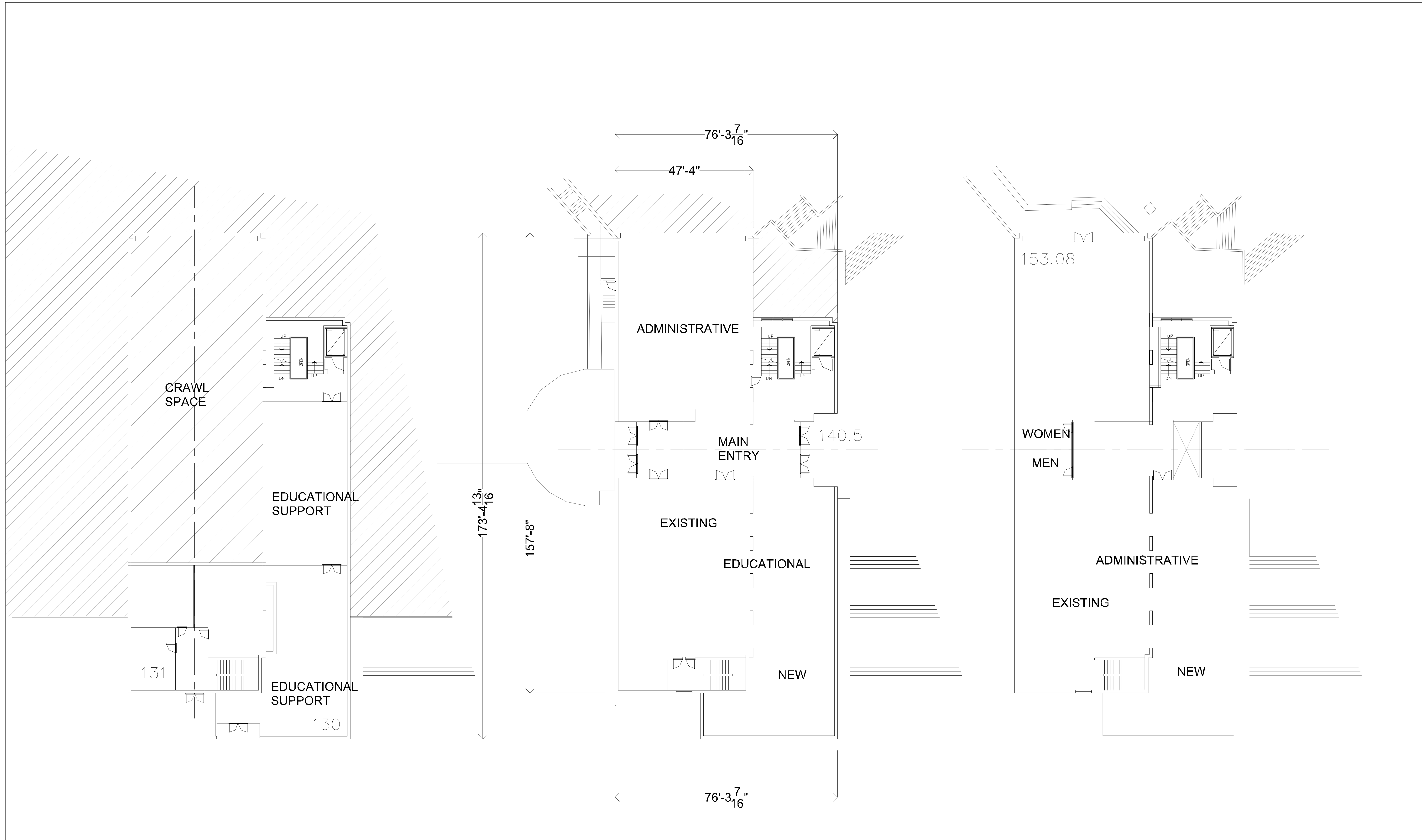


Revisions No.	Date	Description
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 907 GREENHILL ROAD, MILL VALLEY, CA 94041
 415-383-7625

USE PERMIT APPLICATION - 4/11/11
SAINT MARY'S COLLEGE HIGH SCHOOL
 MASTER PLAN
 1234 ALBINA AVENUE, PERALTA PARK
 BERKELEY, CALIFORNIA 94706

SAINT JOSEPHS HALL
 ELEVATIONS & ROOF
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 Date: 4/11/11
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 Sheet No.: 12



LOWER FLOOR

ELEVATION 130.0

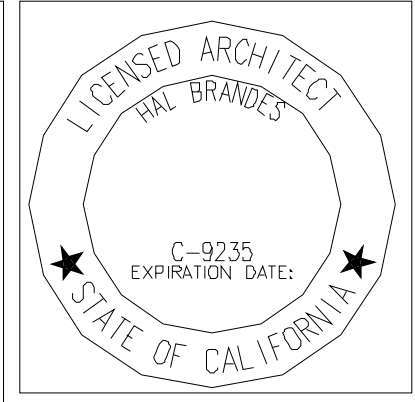
MAIN ENTRY FLOOR

ELEVATION 140.5

UPPER FLOOR

ELEVATION 153.08

SAINT JOSEPHS HALL RENOVATION & EXPANSION



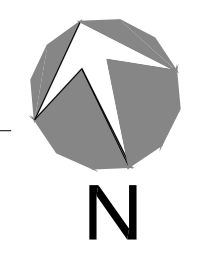
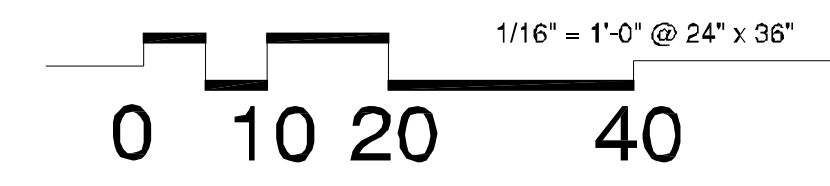
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 415-383-7625

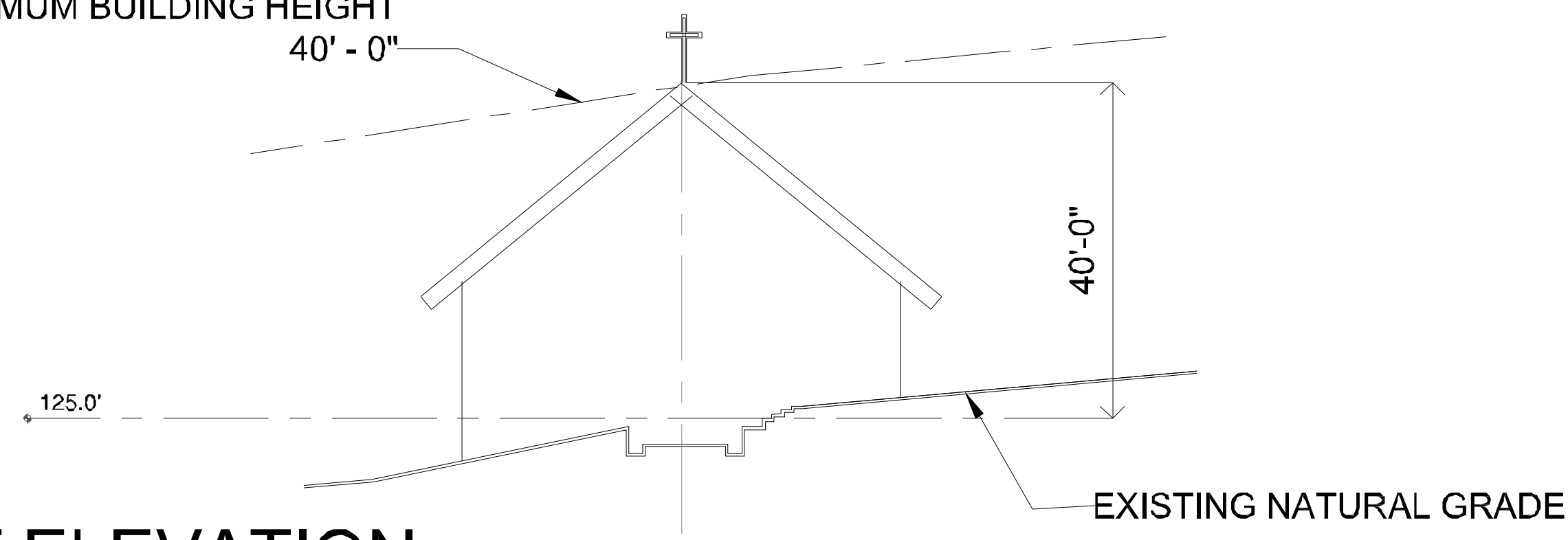
USE PERMIT APPLICATION - 4/11/11
SAINT MARY'S COLLEGE HIGH SCHOOL
MASTER PLAN
 1234 ALBINA AVENUE, PERALTA PARK
 BERKELEY, CALIFORNIA 94706

SAINT JOSEPHS HALL - PLANS

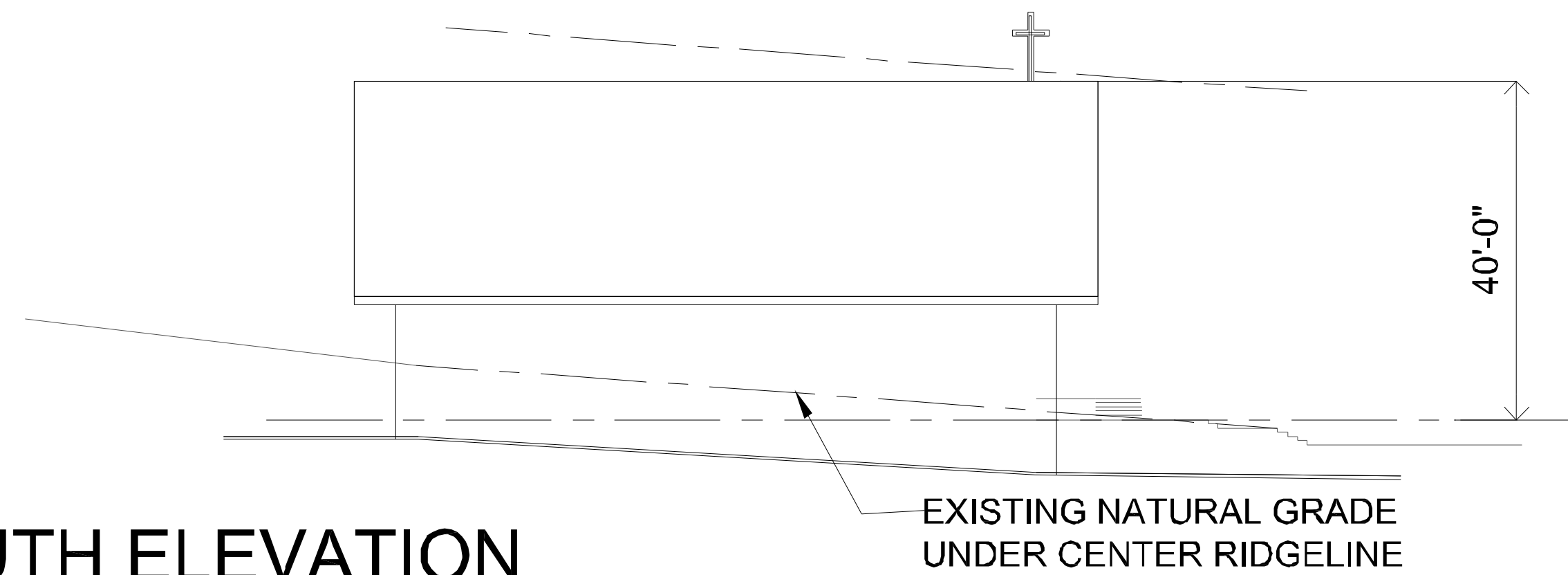
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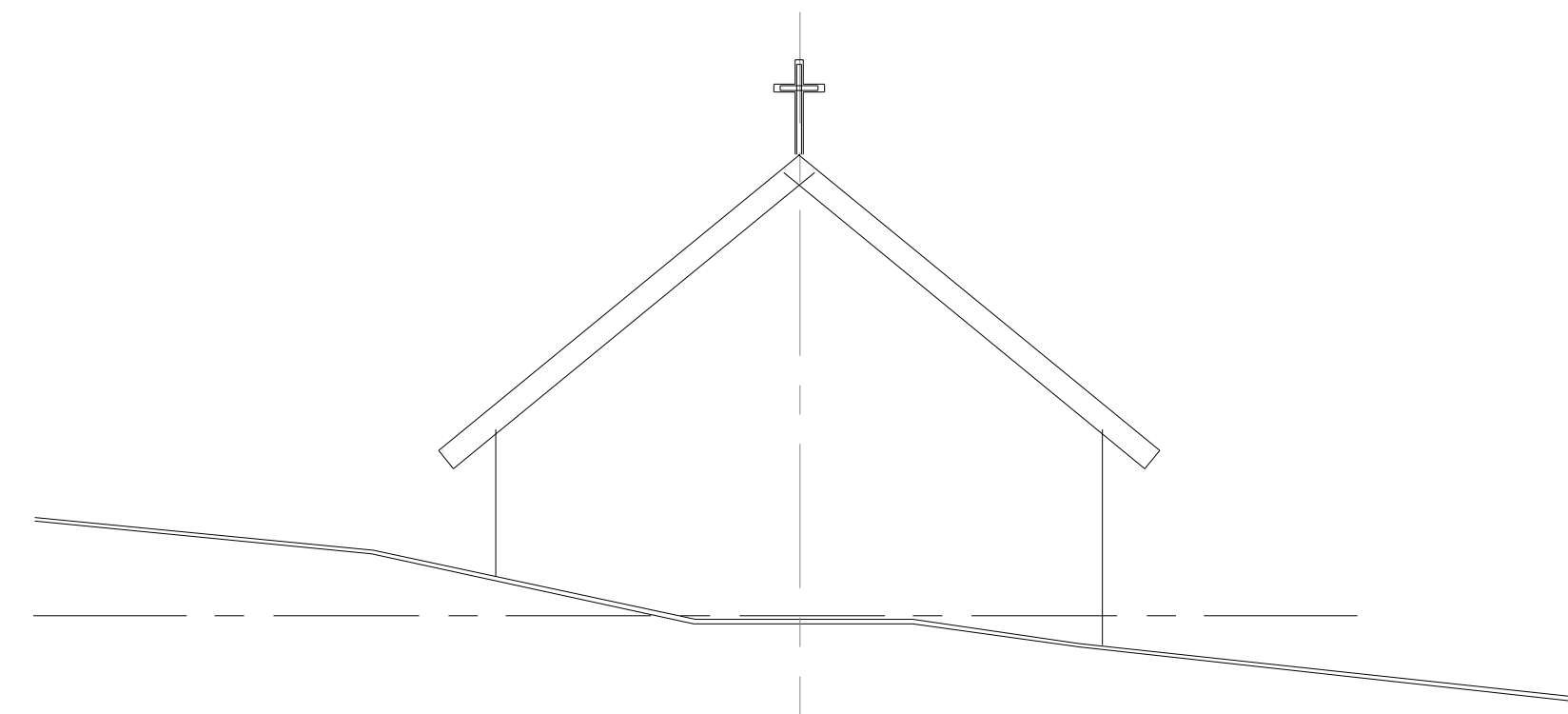
MAXIMUM BUILDING HEIGHT
40' - 0"



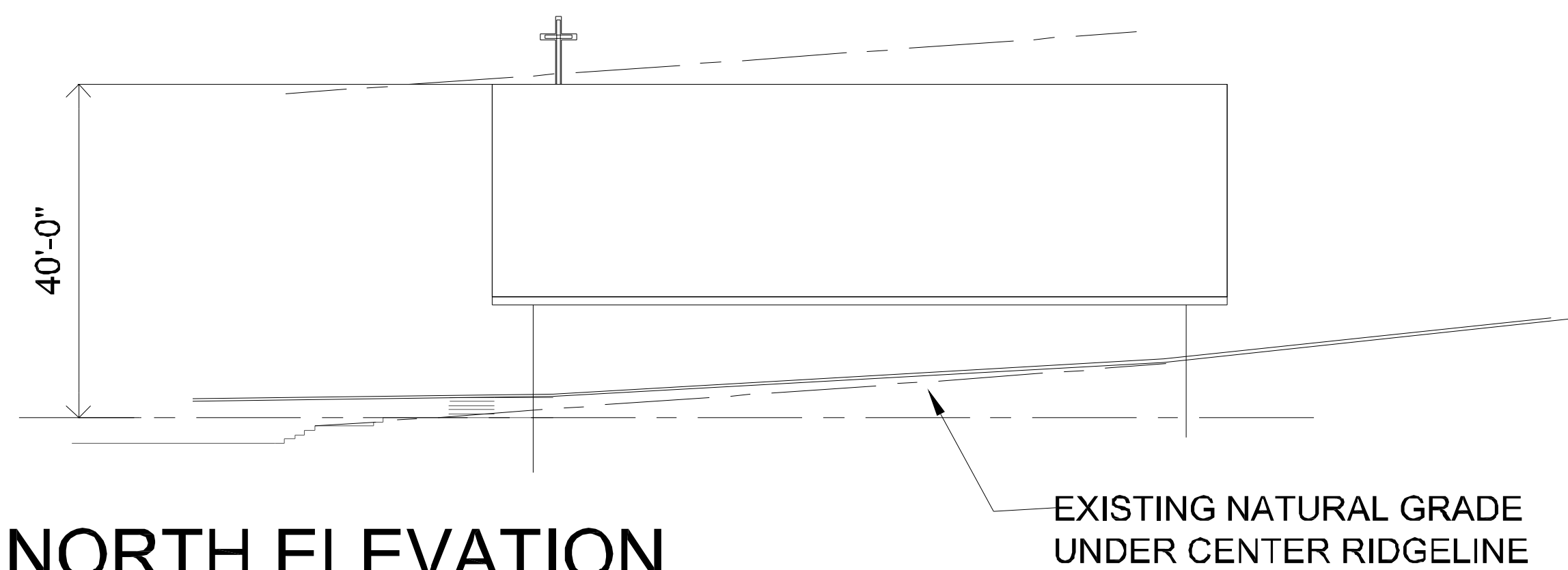
EAST ELEVATION



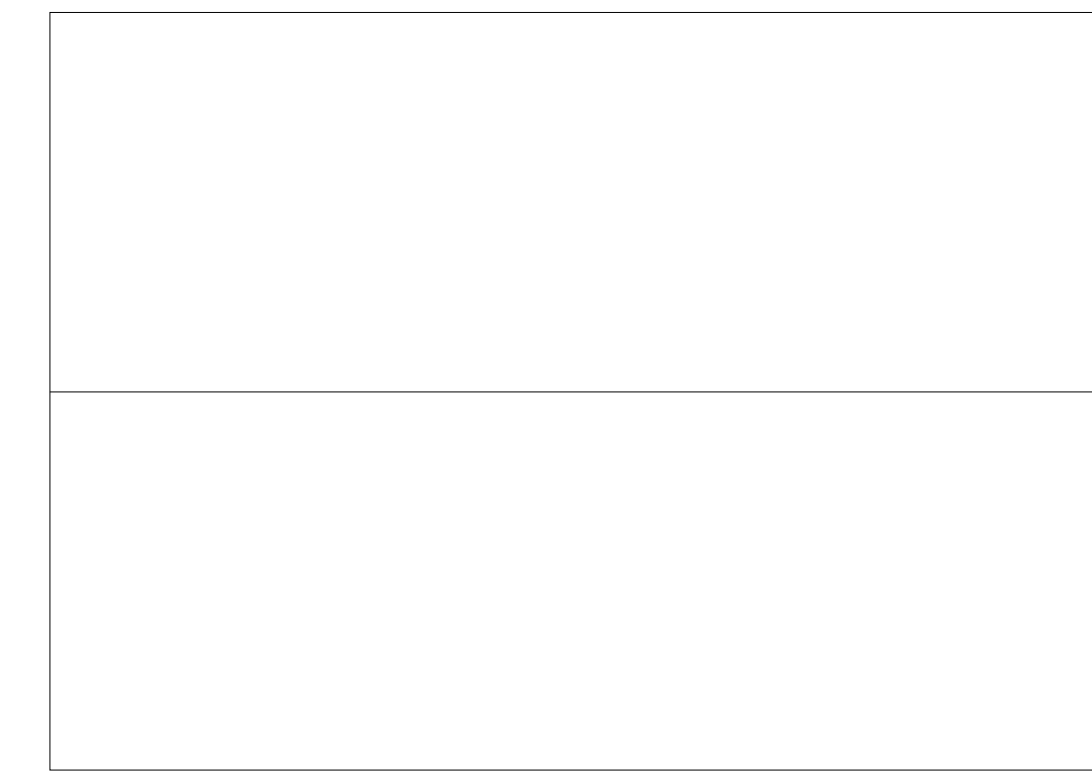
SOUTH ELEVATION



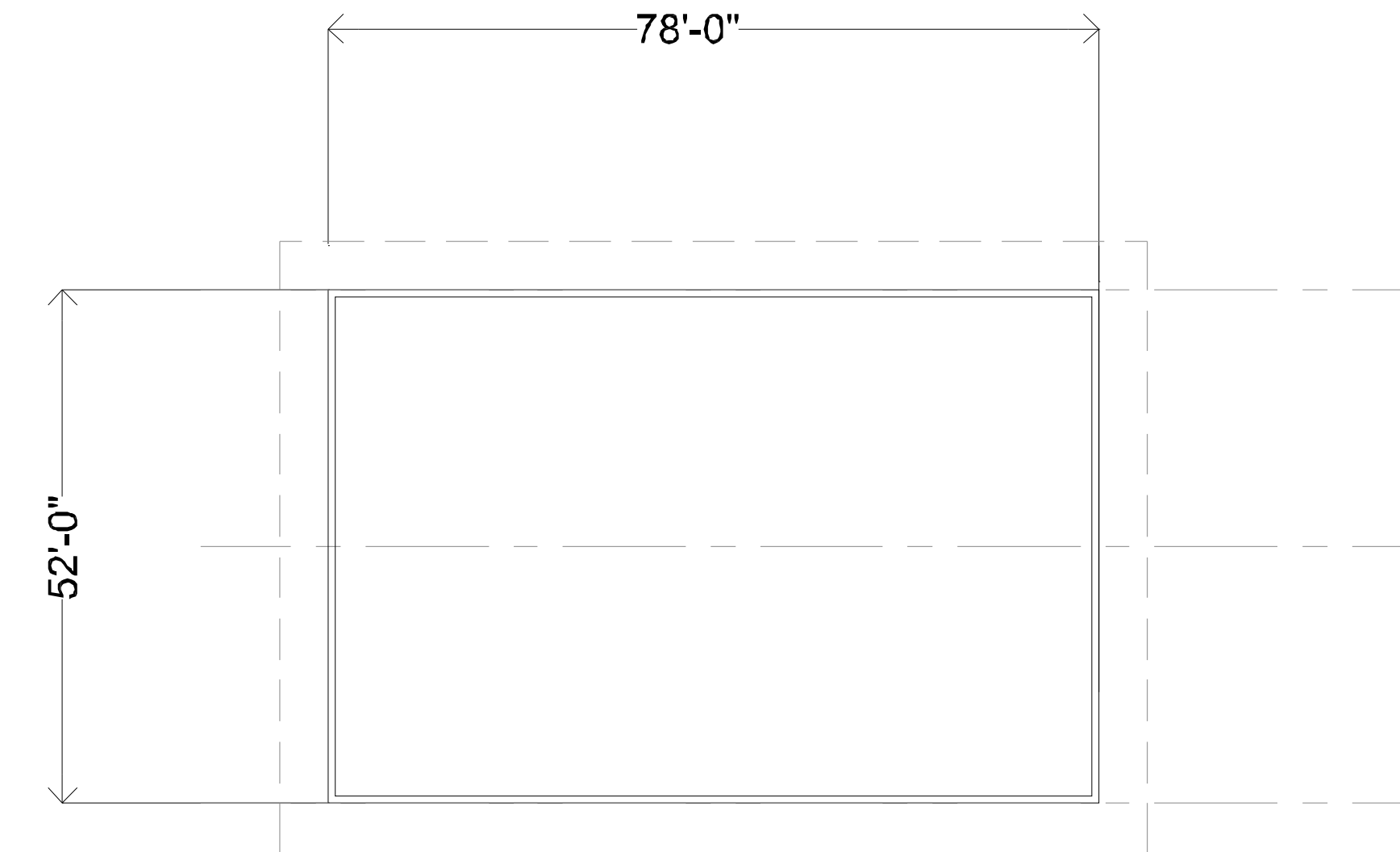
WEST ELEVATION



NORTH ELEVATION



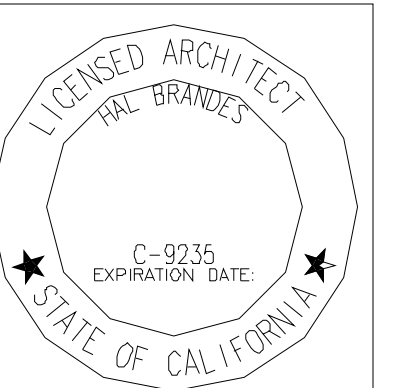
ROOF



MAIN FLOOR

ELEVATION 125.0'

CHAPEL

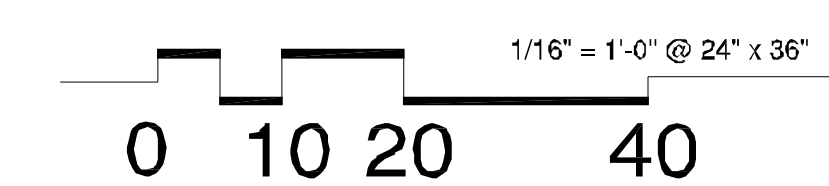


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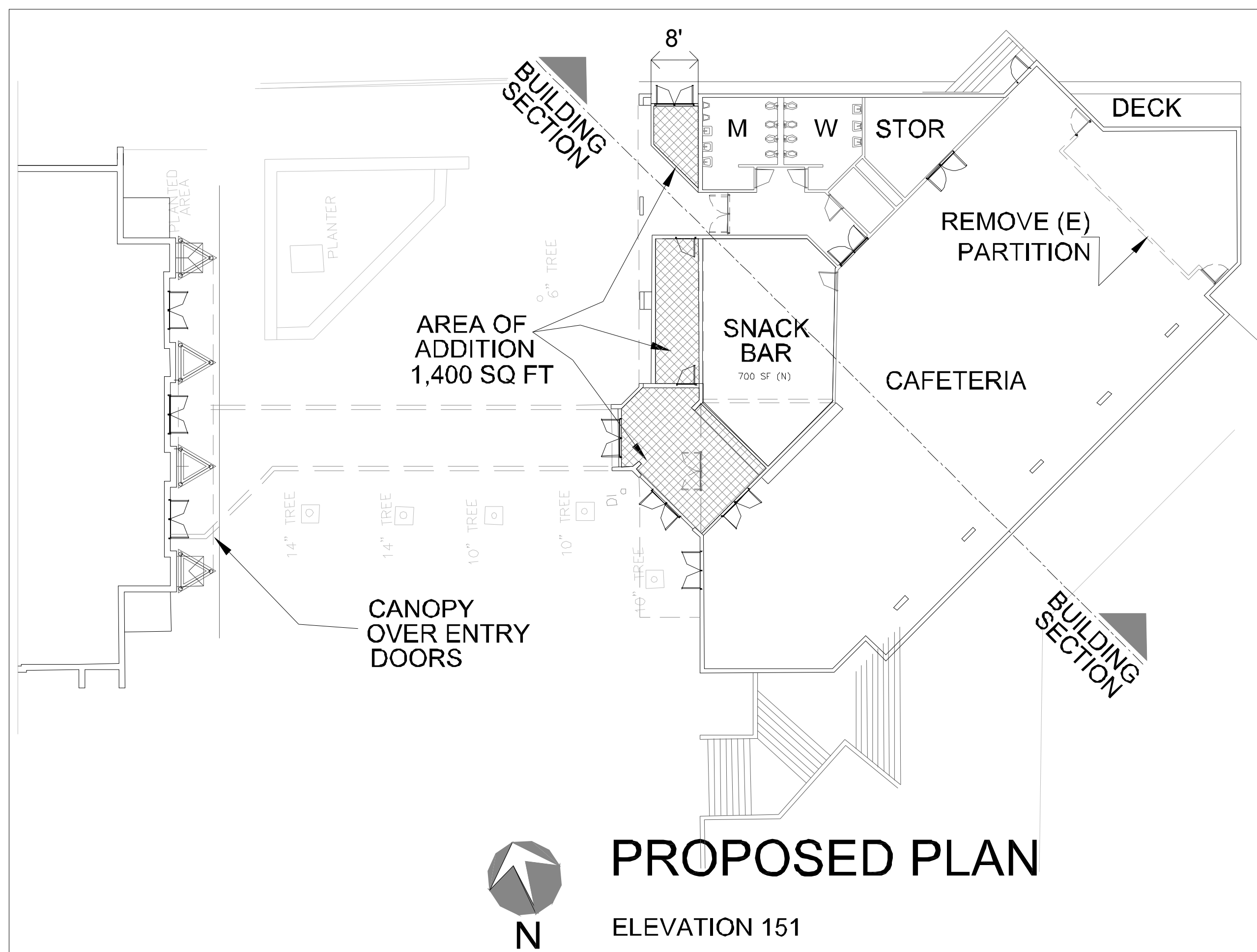
DAHANUKAR BRANDES ARCHITECTS
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 907 GREENHILL ROAD, MILL VALLEY, CA 94641
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USE PERMIT APPLICATION - 4/11/11
SAINT MARY'S COLLEGE HIGH SCHOOL
MASTER PLAN
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CHAPEL

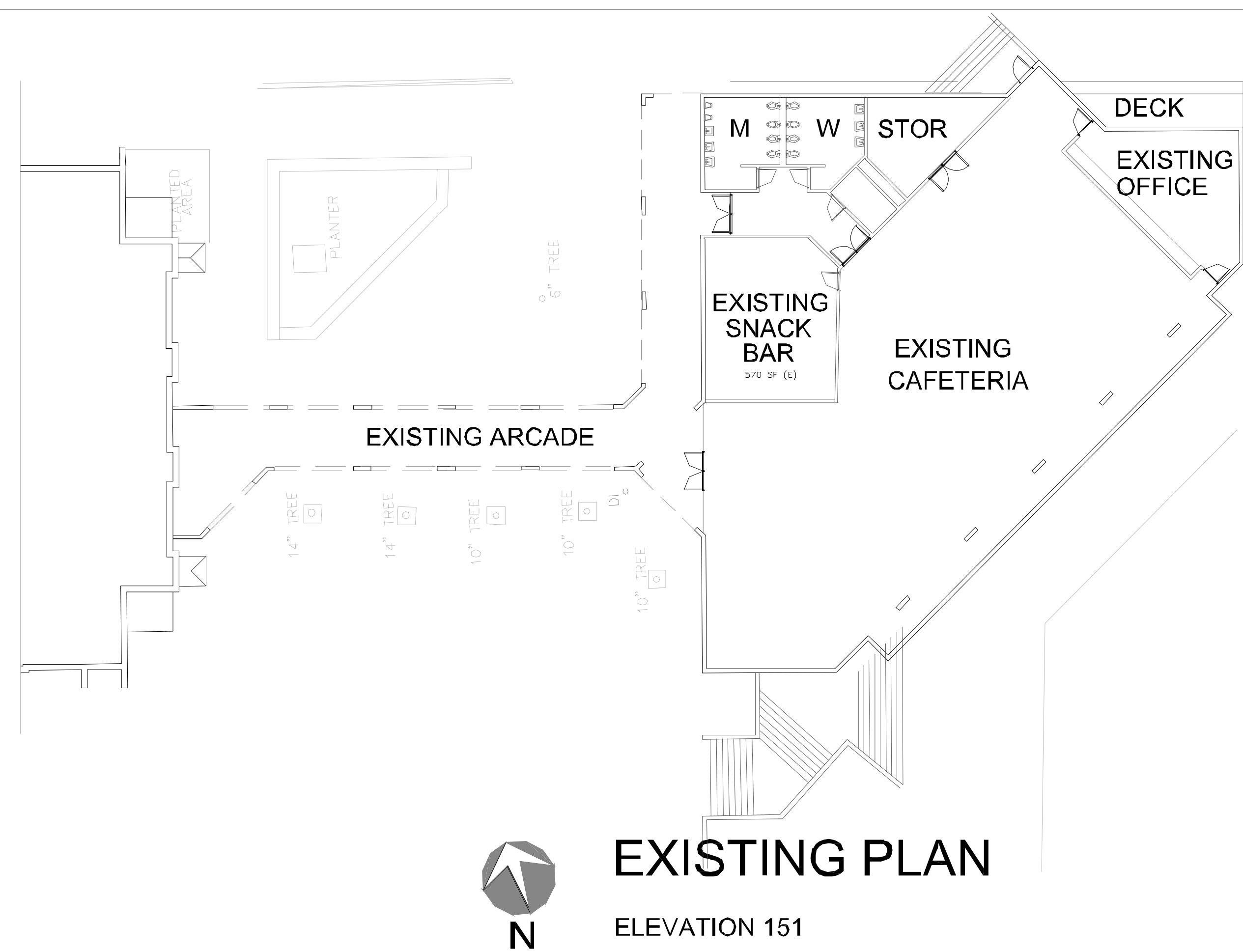


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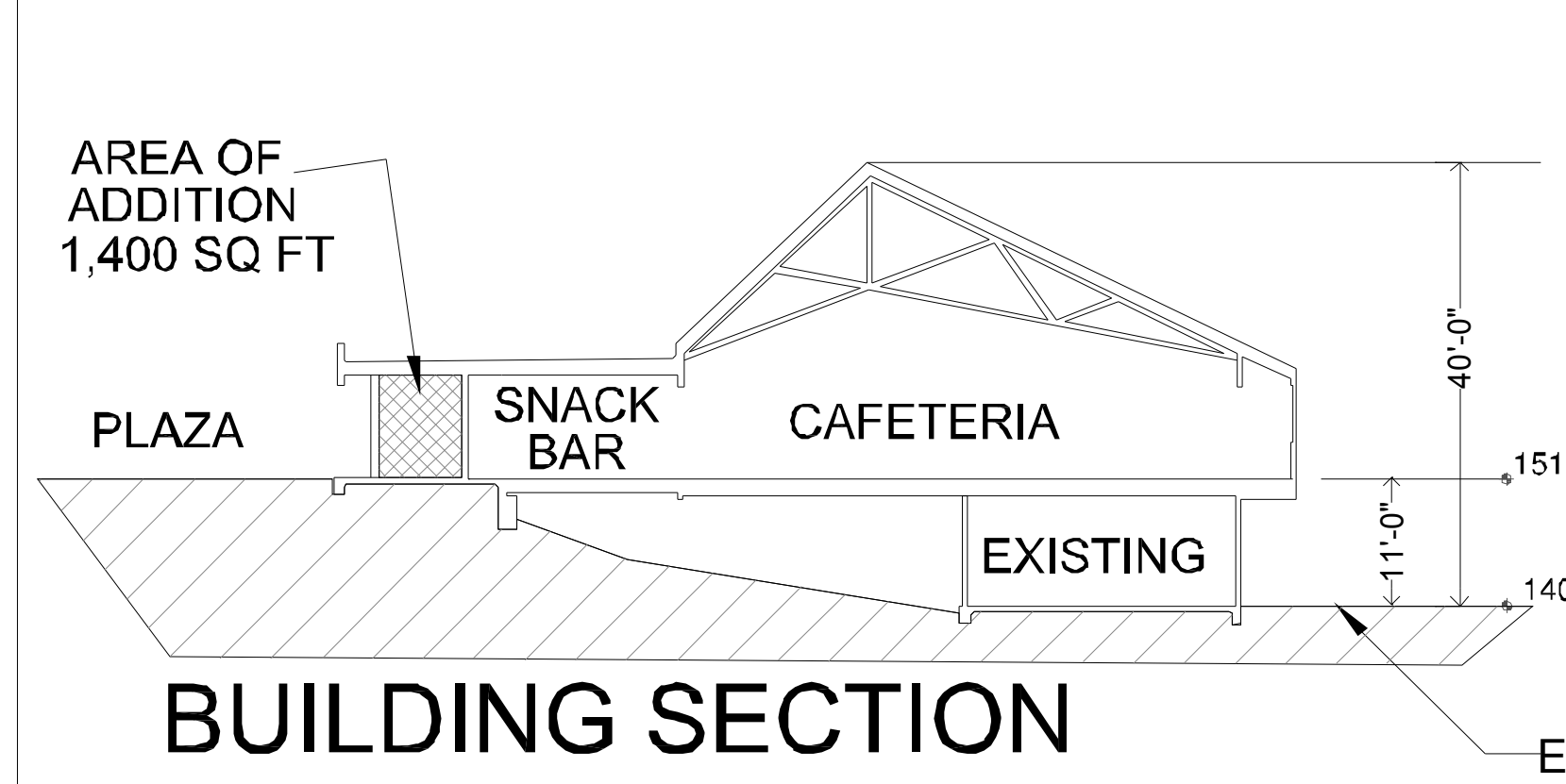
PROPOSED PLAN

ELEVATION 151

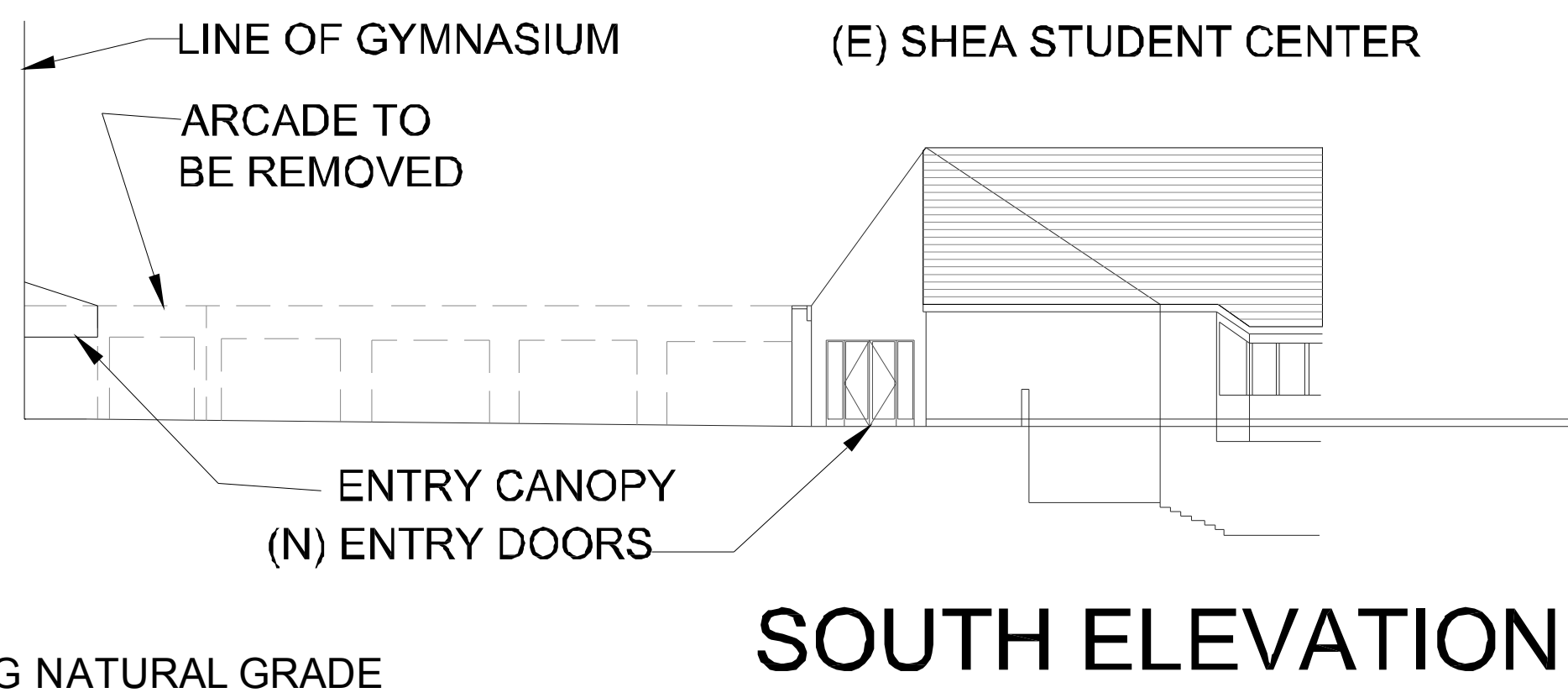


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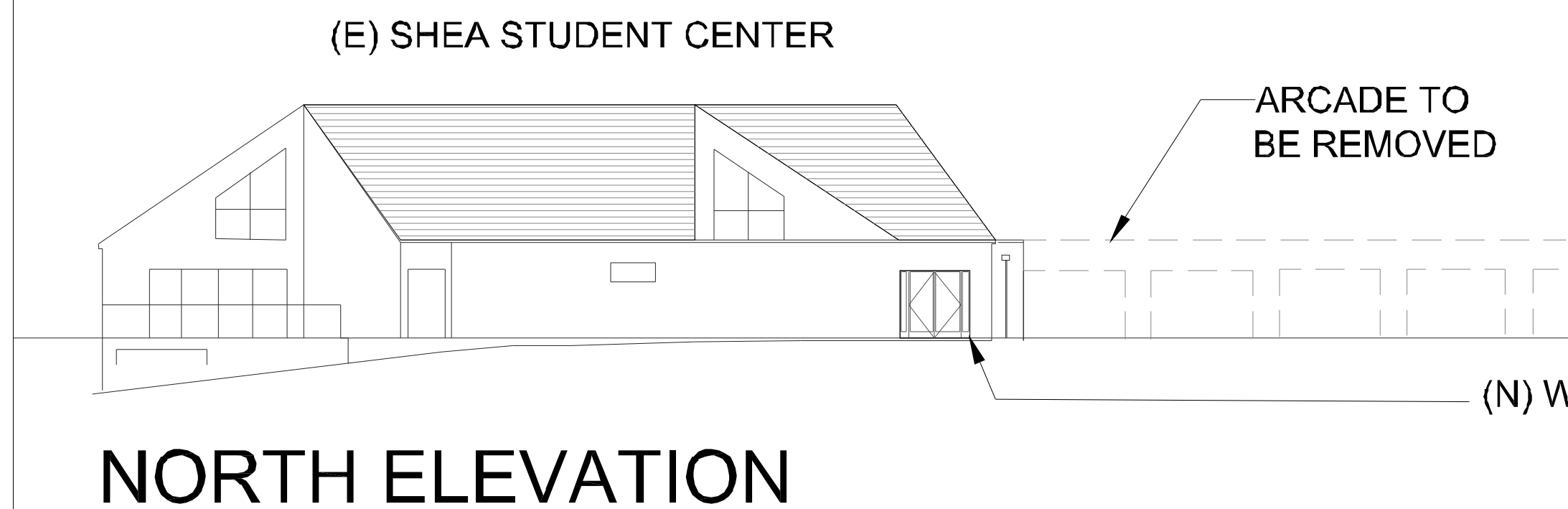
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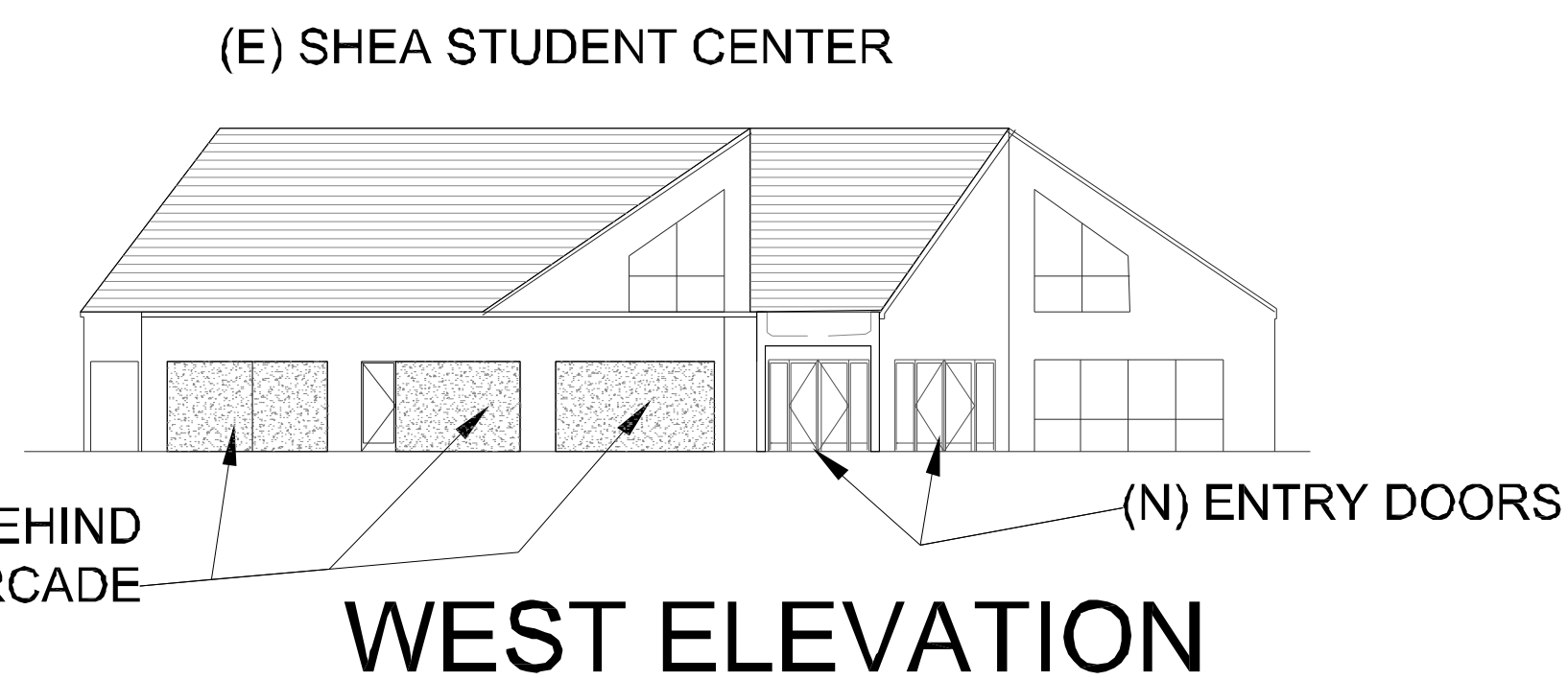
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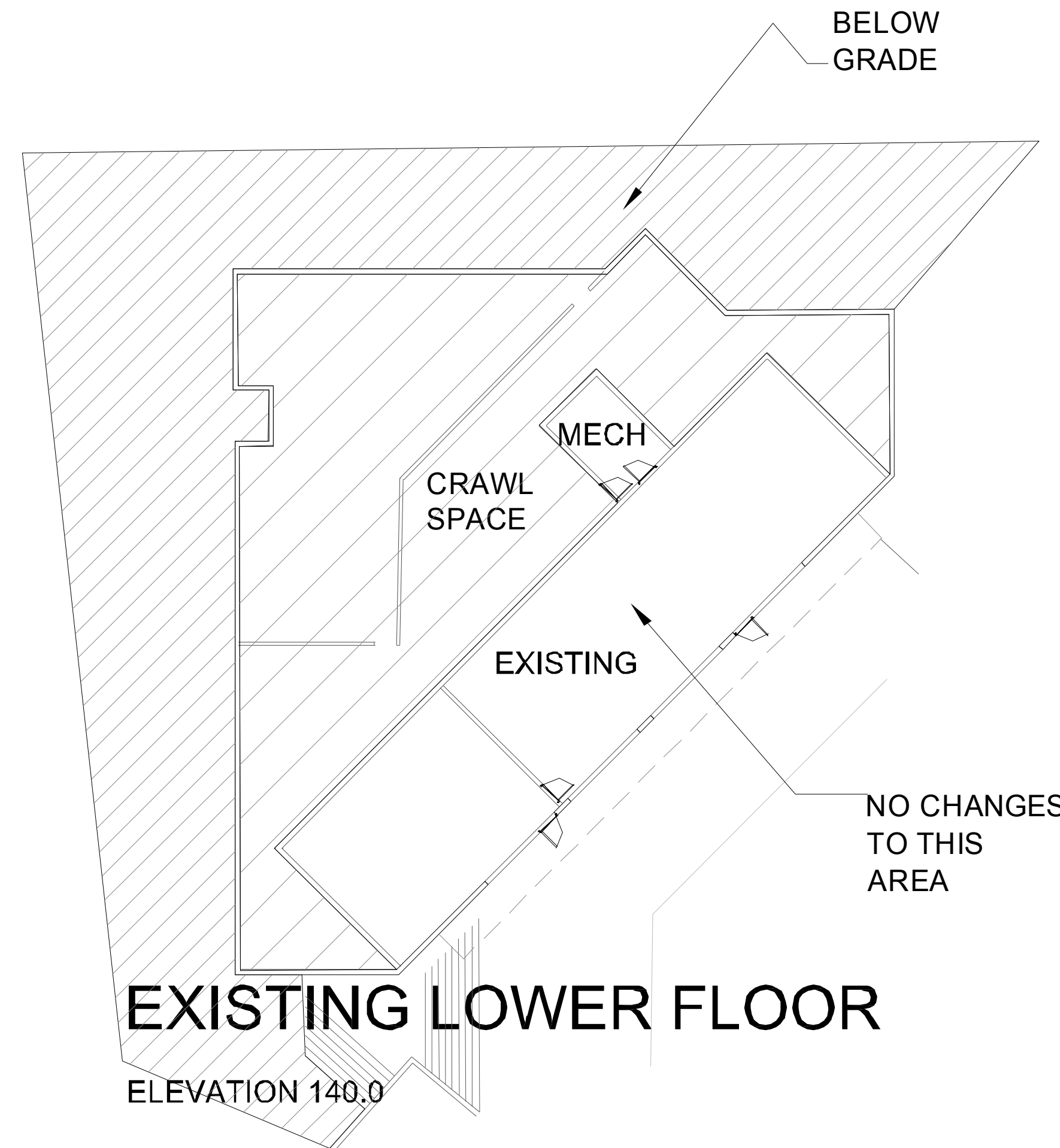
SOUTH ELEVATION



NORTH ELEVATION



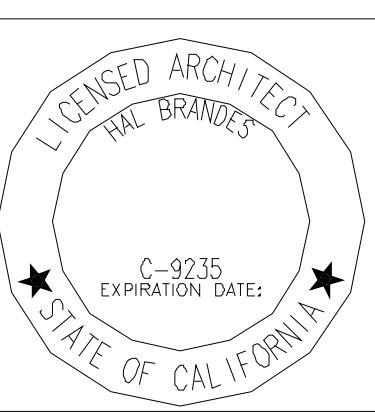
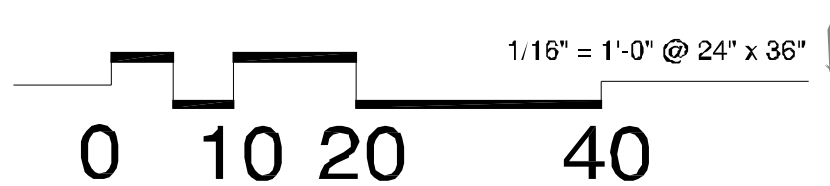
WEST ELEVATION



EXISTING LOWER FLOOR

ELEVATION 140.0

SHEA STUDENT CENTER RENOVATION & ADDITION

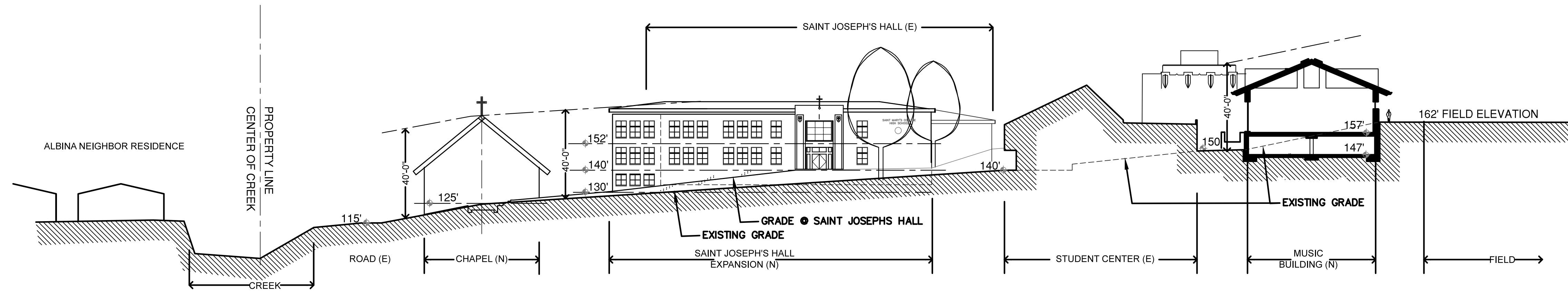
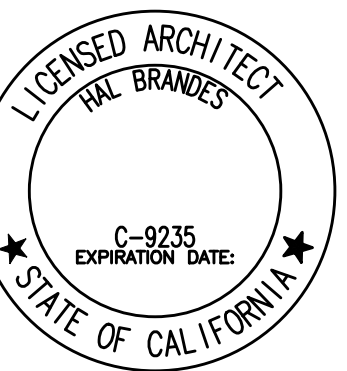


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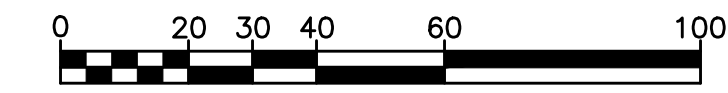
DAHANUKAR BRANDES ARCHITECTS
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 907 GREENHILL ROAD, MILL VALLEY, CA 94941
 415-383-7625

USE PERMIT APPLICATION - 4/11/11
SAINT MARY'S COLLEGE HIGH SCHOOL
 MASTER PLAN
 1234 ALBINA AVENUE, PERALTA PARK
 BERKELEY, CALIFORNIA 94706

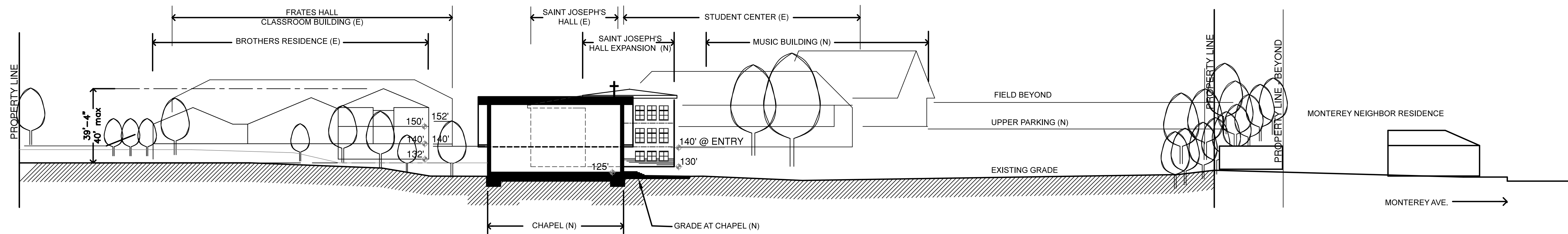
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 Scale: AS NOTED 4/11/11
 Date: 4/11/11
 Drawn By: BDB/HB
 Sheet No: 9



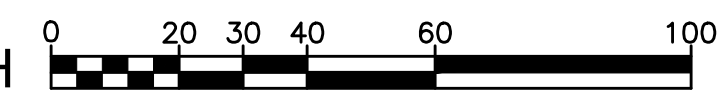
1 SOUTH TO NORTH SECTION LOOKING WEST



Revisions	No.	Date	Description
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2 WEST TO EAST SECTION LOOKING NORTH



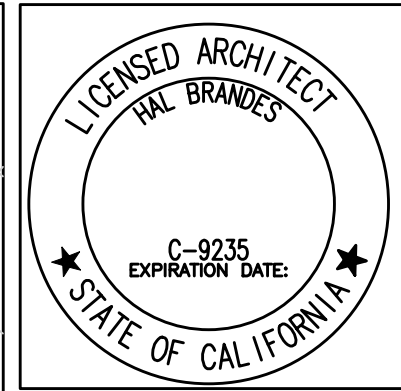
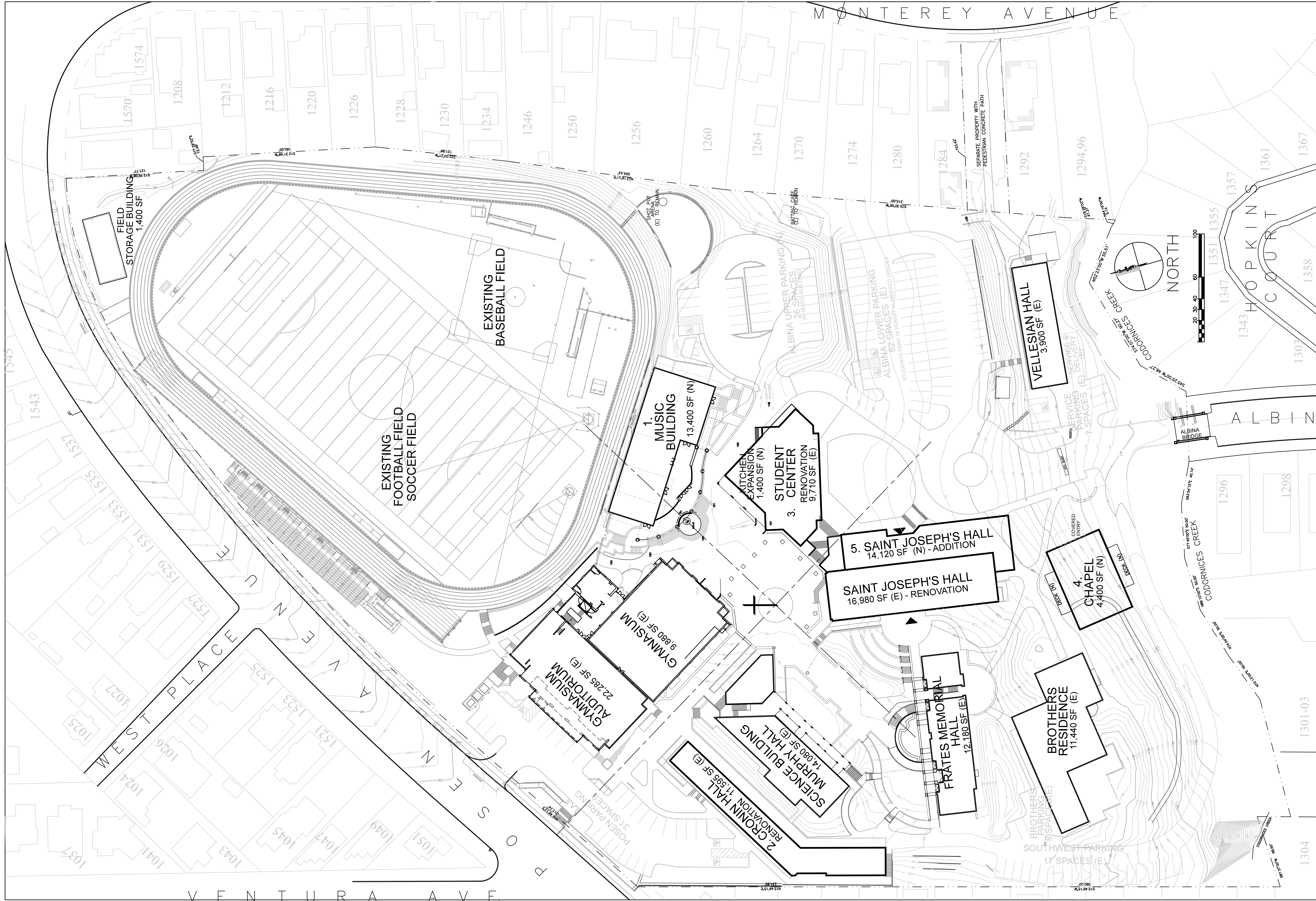
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 907 GREENHILL ROAD, MILL VALLEY, CA 94941
 415-383-7625

USE PERMIT APPLICATION - 4/11/11
SAINT MARY'S COLLEGE HIGH SCHOOL
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 BERKELEY, CALIFORNIA 94706

SITE SECTIONS

AS NOTED
 Date: 4/11/11
 Drawn By: BDB/HB
 Checked By: **8**

1" = 30'-0"



Revisions	No.	Date	Description
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	2	8/10/12	REVISION 2
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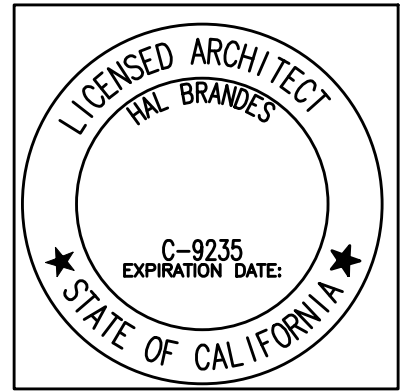
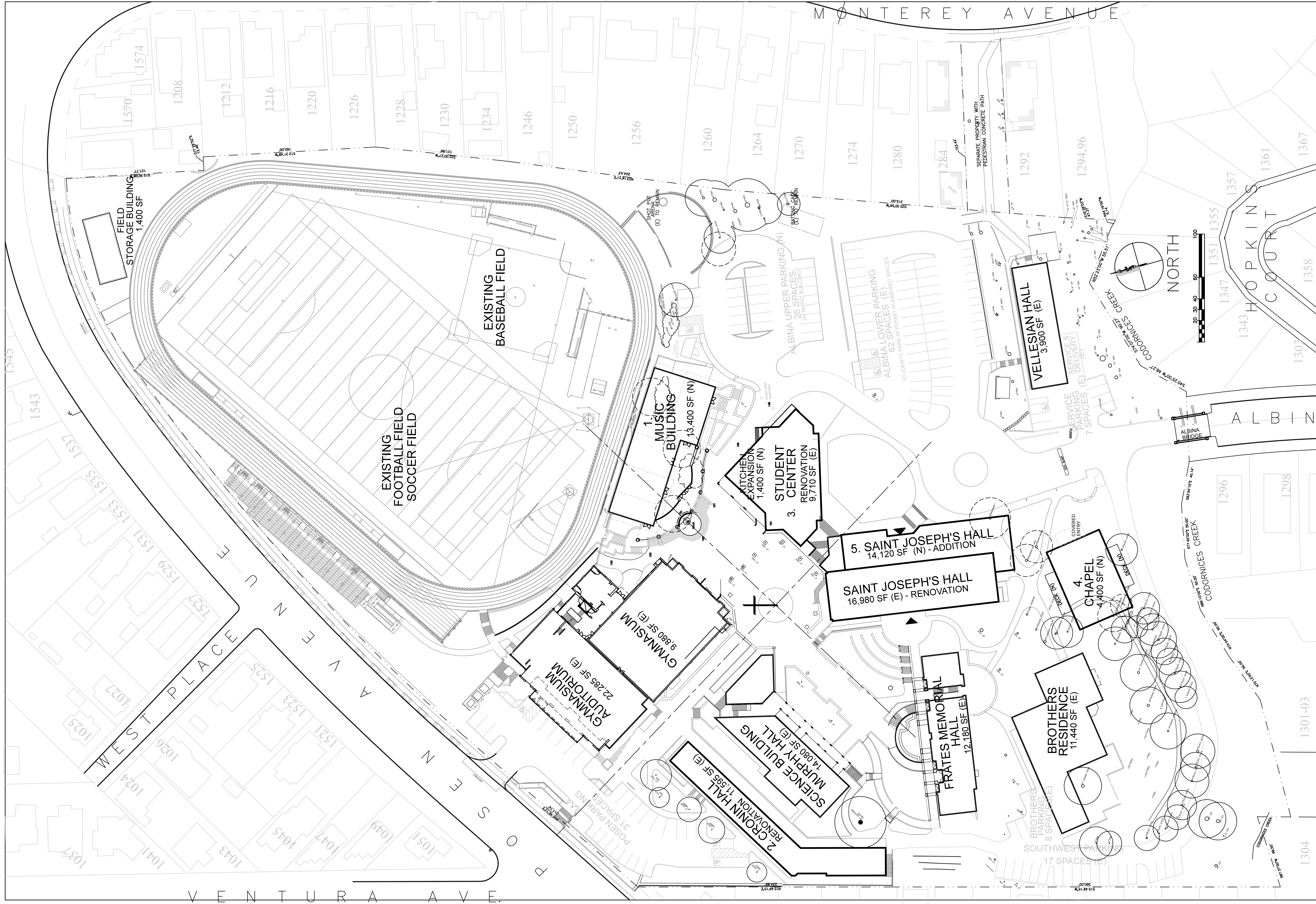
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USE PERMIT APPLICATION - 4/11/2011
SAINT MARY'S COLLEGE HIGH SCHOOL
 1284 ALBINA AVENUE, PERALTA PARK
 BERKELEY, CALIFORNIA 94706

COMPOSITE PLAN

Scale:	AS NOTED	Sheet No.:	7
Date:	4/11/11	Drawn by:	BDB/HB
Checked by:			



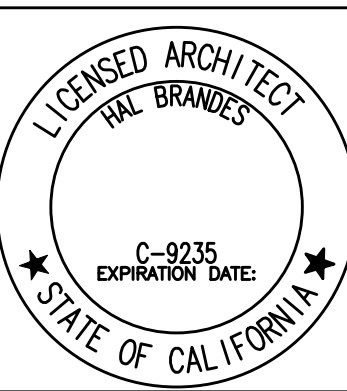
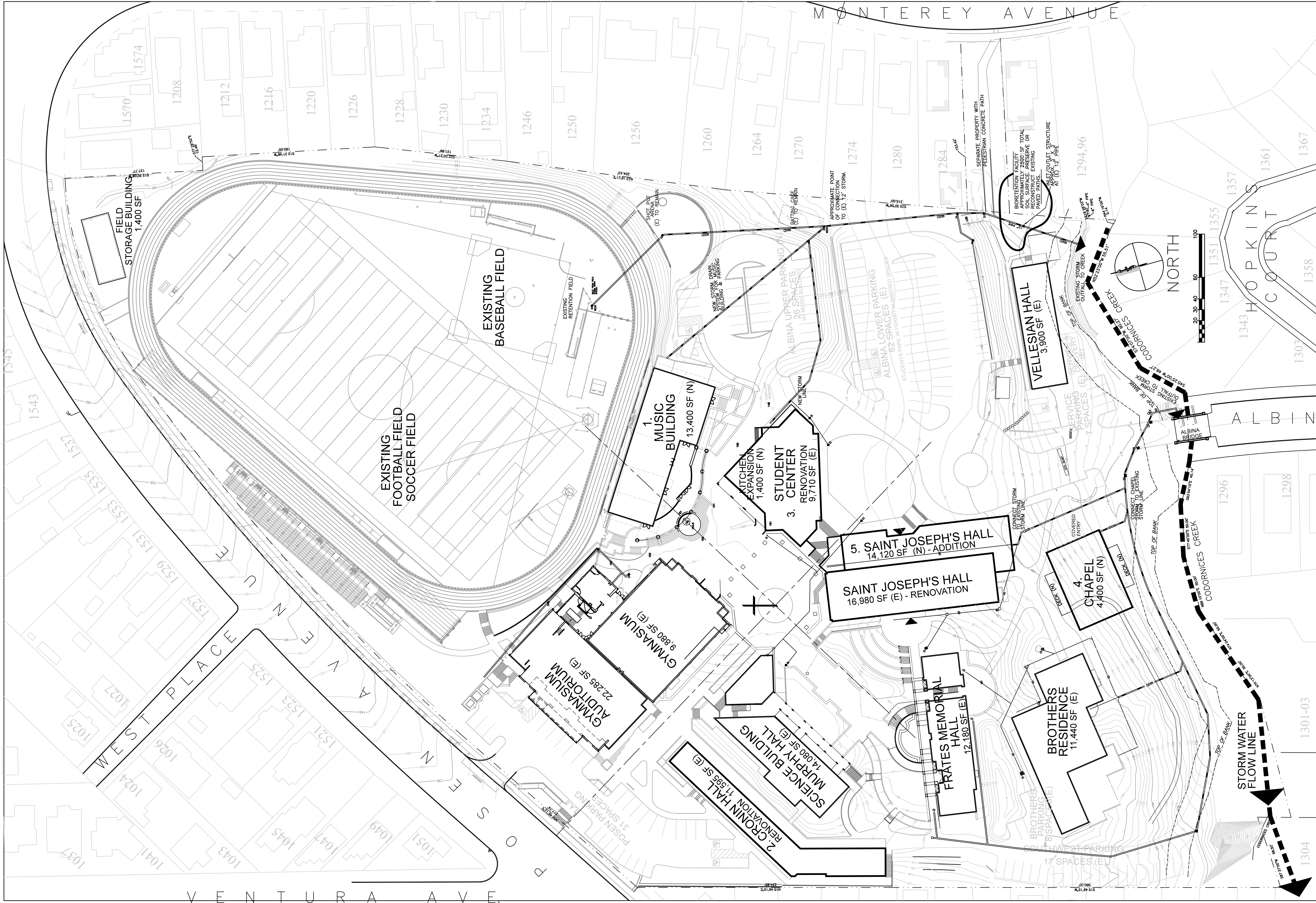
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1	12/11/2011	USE PERMIT APPLICATION - 4/11/2011
2	4/11/2011	DATE
3	BDB/HB	DRAWN BY
4		CHECKED BY
5		SCALE
6		SHEET NO.

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USE PERMIT APPLICATION - 4/11/2011
SAINT MARY'S COLLEGE HIGH SCHOOL
 1294 ALBINA AVENUE, PERALTA PARK
 BERKELEY, CALIFORNIA 94706

TREE LOCATIONS
 Scale: AS NOTED
 Date: 4/11/11
 Drawn By: BDB/HB
 Checked By: **6**



Revisions	No.	Date	Description
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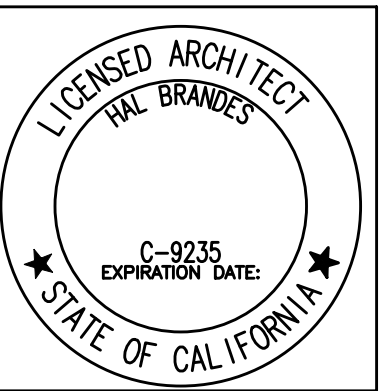
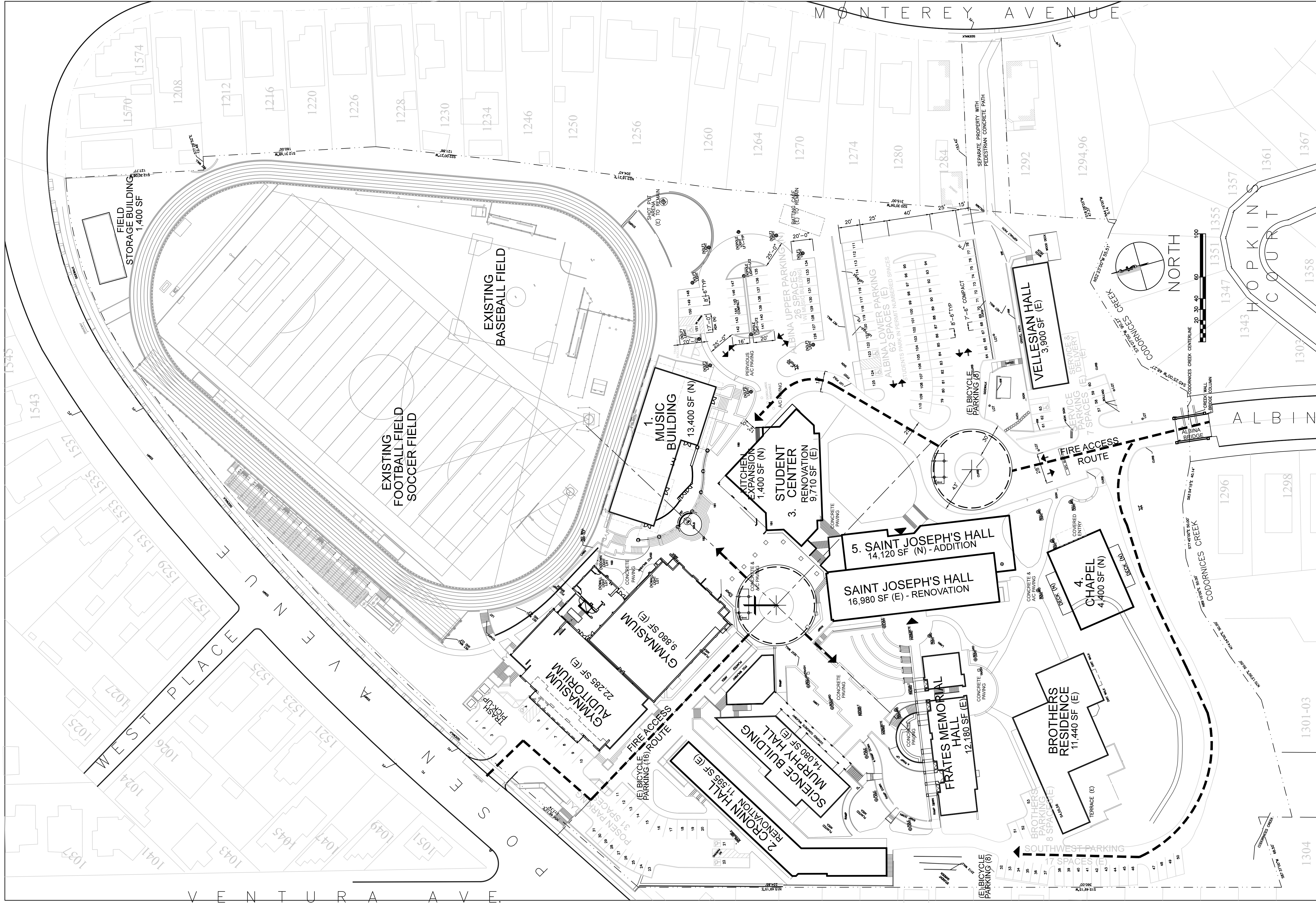
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2	8/10/12	REVISION 2
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DAHANUKAR BRANDES ARCHITECTS
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SAINT MARY'S COLLEGE HIGH SCHOOL
 1284 ALBINA AVENUE, PERALTA PARK
 BERKELEY, CALIFORNIA 94706

GRADING & DRAINAGE

Scale: AS NOTED
 Date: 4/11/11
 Drawn By: BDB/HHB
 Sheet No.: **5**



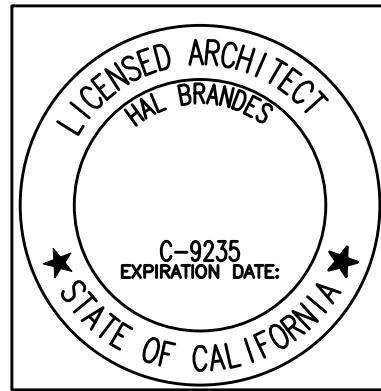
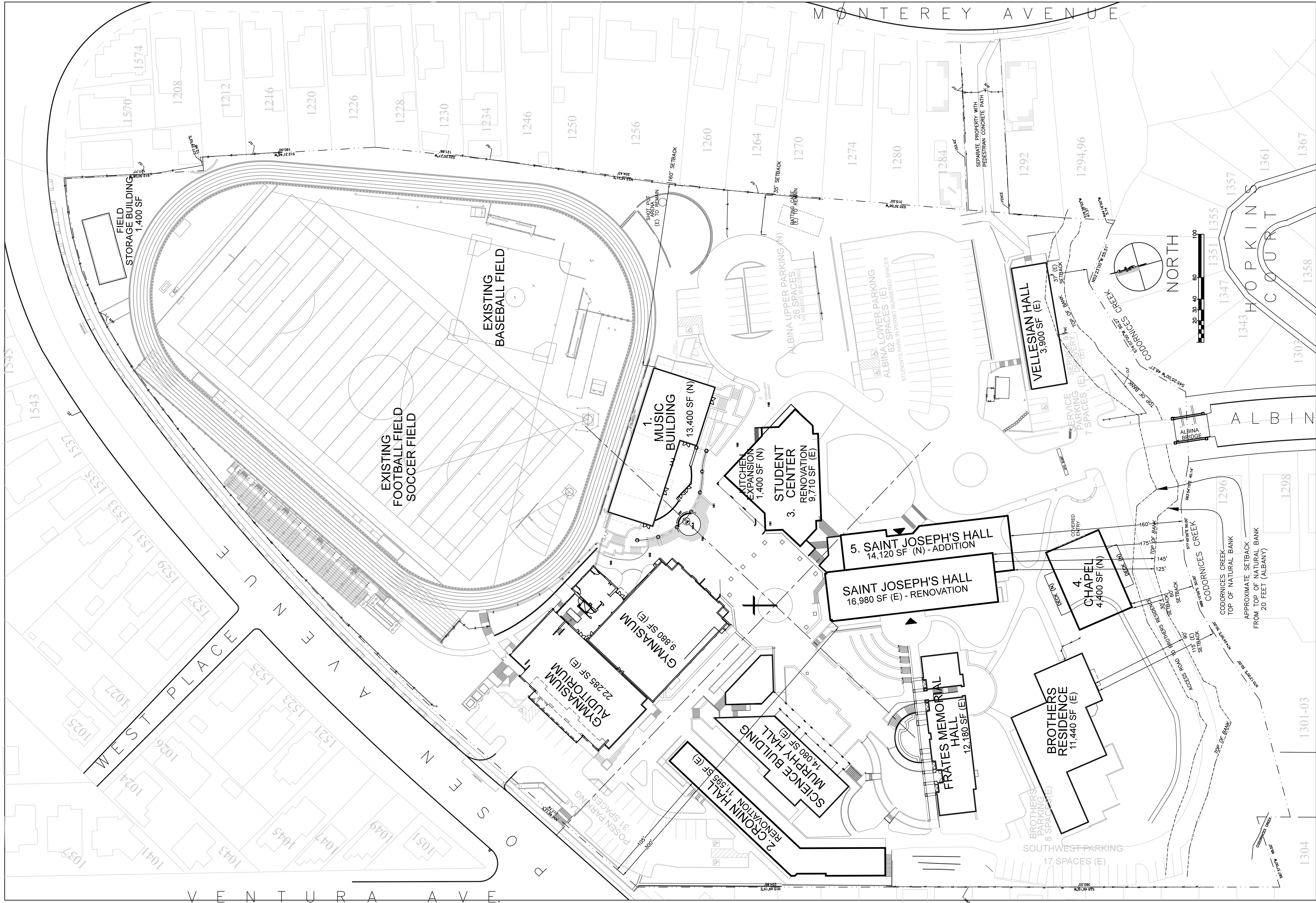
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Revisions	No.	Date	Description
	1	1/21/12	REVISION 1
	2	8/10/12	REVISION 2
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USE PERMIT APPLICATION - 4/11/2011
SAINT MARY'S COLLEGE HIGH SCHOOL
 1294 ALBINA AVENUE, PERALTA PARK
 BERKELEY, CALIFORNIA 94706

CIRCULATION & PARKING PLAN
 Scale: AS NOTED
 Date: 4/11/11
 Drawn By: BDB/HB
 Checked By:
 Sheet No. **4**



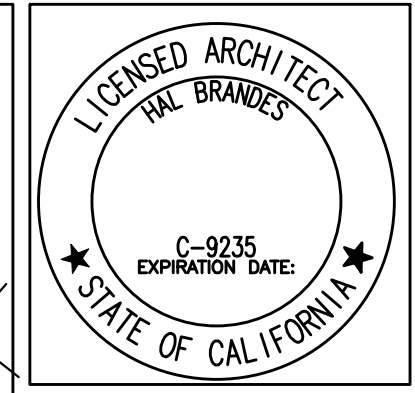
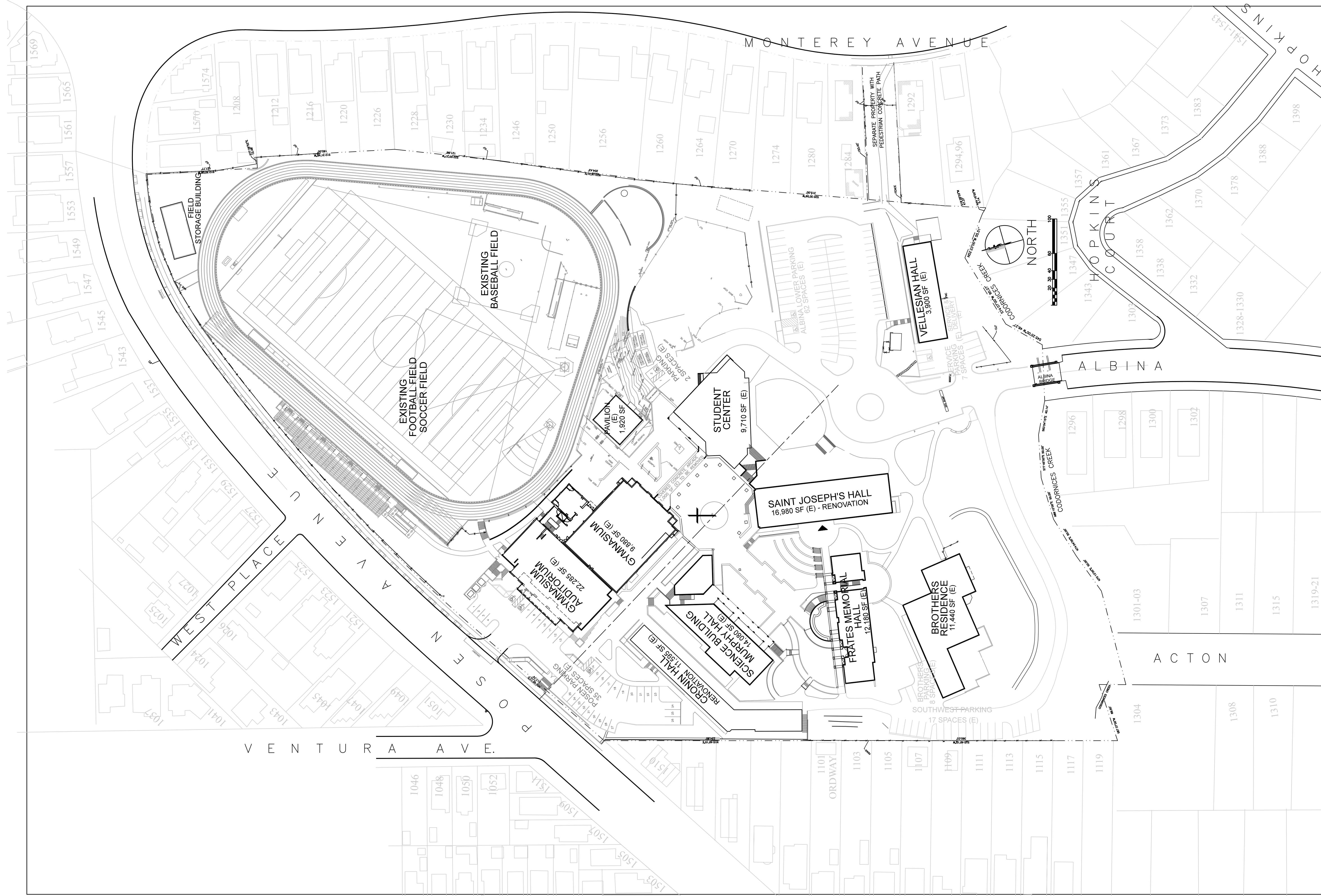
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1	1/21/12	REVISION 1
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SAINT MARY'S COLLEGE HIGH SCHOOL
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 BERKELEY, CALIFORNIA 94706

PROPOSED CAMPUS PLAN
 Scale: AS NOTED
 Date: 4/11/11
 Drawn By: BDB/HB
 Checked By: **3**



No.	Date	Description
1	2/27/12	REVISION 1
2	8/10/12	REVISION 2
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No.	Date	Description
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SAINT MARY'S COLLEGE HIGH SCHOOL
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 BERKELEY, CALIFORNIA 94706

EXISTING SITE PLAN
 Scale: AS NOTED
 Date: 4/11/11
 Drawn by: BOB/HB
 Checked by:
 Sheet No. **2**



Cistus Purpureus



Coprosma x kirkii



Myoporum 'Pacificum'



Myoporum parvifolium

Zone A - Groundcovers



Plumbago auriculata



Sollya heterophylla



Abelia x grandiflora



Cistus purpureus



Coprosma repens



Escallonia 'Fradesii'

Zone B - Hillside Shrubs



Escallonia 'Newport Dwarf'



Escallonia rubra



Grevillea rosmarinifolia 'Scarlet Spire'



Phormium tenax

Zone B - Hillside Shrubs



Acer circinatum

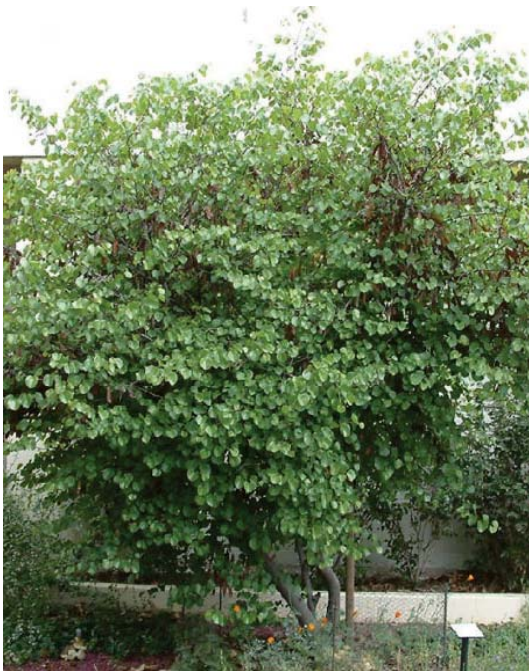


Acer palmatum

Zone C - Specimen Trees



Callistemon rigidus



Cercis occidentalis



Zone C - Specimen Trees



Crataegus laevigata 'Paul's Scarlet'



Grevillea 'Canberra Gem'



Myoporum laetum

Zone D - Background / Screen Trees



Crataegus phaenopyrum



Grevillea robusta

Zone E - Street Trees

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EXHIBIT C
MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

**RESOLUTION 2013-65
EXHIBIT C**

MITIGATION MONITORING AND REPORTING PROGRAM

This Draft Mitigation Monitoring and Reporting Program (MMRP) has been formulated based upon the findings of the Mitigated Negative Declaration (MND) prepared for the St. Mary's College High School Conditional Use Permit (project). The MMRP, which is found in Table 1, lists mitigation measures recommended in the Initial Study and MND prepared for the project and identifies mitigation monitoring requirements.

This MMRP has been prepared to comply with the requirements of State law (Public Resources Code Section 21081.6). State law requires the adoption of an MMRP when mitigation measures are required to avoid significant impacts. The MMRP is intended to ensure compliance during implementation of the project.

The MMRP is organized in a matrix format. The first column identifies the mitigation measure. The second column, entitled "Mitigation Responsibility," refers to the party responsible for implementing the mitigation measure. The third column, entitled "Monitoring/Reporting Agency," refers to the agency responsible for oversight or ensuring that the mitigation measure is implemented. The fourth column, entitled "Monitoring Schedule," refers to when monitoring will occur to ensure that the mitigating action is completed.

Table 1: Draft Mitigation Monitoring and Reporting Program Measures	Mitigation Responsibility	Monitoring/Reporting Agency	Monitoring Schedule
MND MITIGATION MEASURES			
A. Air Quality & Greenhouse Gas Emission			
<p>1. Mitigation: Basic Construction Best Management Practices. The Project shall demonstrate proposed compliance with all applicable regulations and operating procedures prior to issuance of demolition, building or grading permits, including implementation of the following BAAQMD "Basic Construction Mitigation Measures".</p> <ul style="list-style-type: none"> a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered. c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. d. All vehicle speeds on unpaved roads shall be limited to 15 mph. e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be 	City of Albany	City of Albany, Community Development Department	Prior to final construction plan approval

Table 1: Draft Mitigation Monitoring and Reporting Program Measures	Mitigation Responsibility	Monitoring/Reporting Agency	Monitoring Schedule
<p>laid as soon as possible after grading unless seeding or soil binders are used.</p> <p>f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.</p> <p>g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</p> <p>h. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.</p>			
<p>1. Mitigation: Diesel Emission Reduction. Construction contracts for the Project shall include diesel emission reduction measures that reduce particulate emissions a minimum of</p>	<p>Project Applicant in collaboration</p>	<p>City of Albany, Community Development</p>	<p>Prior to final construction plan approval</p>

Table 1: Draft Mitigation Monitoring and Reporting Program Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Schedule
<p>49.6 percent for PM10 and PM2.5 compared to the most recent California Air Resources Board (CARB) fleet average. Diesel emission reduction measures can include, but are not limited to alternatively fueled equipment, engine retrofit technology, after-treatment products and add-on devices such as particulate filters, and/or other options as they become available.</p> <p>With respect to phases beyond construction of the Music Building (Phase One), when more is known of the specifics of construction for future phases, the applicant can chose to instead have a more detailed health risk assessment prepared by a qualified consultant to modify or remove the need for these emissions reductions to meet threshold levels.</p>	<p>with City of Albany</p>	<p>Department</p>	
<p>B. Biological Resources</p>			
<p>1. Mitigation: If proposed tree removal were to occur during the period August through February, no pre-construction survey for nesting birds would be required. If tree removal occurs during the March through July breeding season, however, a biologist shall conduct a pre-construction survey to determine if special-status birds are nesting on or near the site. The biologist shall conduct the survey no more than 30 days prior to initiation of tree removal. If there were no nest observed, tree removal or grading could proceed.</p>	<p>Project Applicant in coordination with the City of Albany</p>	<p>City of Albany, Community Development Department</p>	<p>Prior to final construction plan approval</p>
<p>C. Cultural Resources</p>			

Table 1: Draft Mitigation Monitoring and Reporting Program Measures	Mitigation Responsibility	Monitoring/Reporting Agency	Monitoring Schedule
<p>1. Mitigation: In the event that any previously unidentified historical resources are uncovered during site preparation, excavation or other construction activity, all such activity shall cease until these resources have been evaluated by a qualified archaeologist and specific mitigation measures can be implemented to protect these resources.</p>	Construction Contractor	City of Albany, Community Development Department	During grading and construction
<p>2. Mitigation: In the event that any previously unidentified archaeological resources are uncovered during site preparation, excavation or other construction activity, all such activity shall cease until these resources have been evaluated by a qualified archaeologist and specific mitigation measures can be implemented to protect these resources.</p>	Construction Contractor	City of Albany, Community Development Department	During grading and construction
<p>3. Mitigation: In the event that any previously unidentified paleontological or unique geologic resources are uncovered during site preparation, excavation or other construction activity, all such activity shall cease until these resources have been evaluated by a qualified archaeologist and specific mitigation measures can be implemented to protect these resources.</p>	Construction Contractor	City of Albany, Community Development Department	During grading and construction
<p>4. Mitigation: In the event that any human remains are uncovered during site preparation, excavation or other construction activity, all such activity shall cease until these</p>	Construction Contractor	City of Albany, Community Development	During grading and construction

Table 1: Draft Mitigation Monitoring and Reporting Program Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Schedule
resources have been evaluated by the County Coroner, and appropriate action taken in coordination with the Native American Heritage Commission.		Department	
D. Geology & Soils			
1. Mitigation: The Project plans shall be reviewed by a qualified Civil Engineer employed or retained by the City of Albany to assure conformance with seismic safety design requirements; no grading permit or building permit shall be issued until plans are approved as meeting all code requirements.	Project Geotechnical Engineer	City of Albany, Public Works Division	Prior to issuance of a final grading permit
2. Mitigation: All foundation and structural work shall be monitored for construction quality and assurance in accordance with design recommendations. Construction observation and testing shall be completed for foundation excavations, grading, and filling, to make sure material and compaction specifications are met, keyways are excavated into suitable material and are of suitable size, and that foundations are constructed properly in accordance with design recommendations and modified or augmented where necessary since subsurface conditions may differ from those initially encountered during the geotechnical investigation. Work shall be completed under the direction of a state-	Project Geotechnical Engineer	City of Albany, Public Works Division	During Project Construction

Table 1: Draft Mitigation Monitoring and Reporting Program Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Schedule
<p>licensed Geotechnical Engineer. Special Inspection of structural elements such as shear walls, foundation bolting, steel reinforcement rods, and concrete work shall be completed under the supervision of a licensed Civil Engineer by a qualified Special Inspection firm.</p> <p>Incorporation of seismic construction standards will reduce the potential for catastrophic effects of ground shaking such as complete structural failure to an <u>acceptable</u> standard, but will not completely eliminate the hazard of seismically-induced ground shaking. Prior to use of improvements, all construction inspection documents (as-built plans) shall have been submitted and recorded by the appropriate regulatory agency with approval granted prior to occupancy.</p>			
<p>3. Mitigation: As a condition of Project approval, the Project Geotechnical Engineer and/or City Engineer shall review and approve the Final Design Plans to ensure that each of the proposed Use Permit projects that involve the construction of new structures will implement and/or adhere to the recommendations from the site-specific Geotechnical Engineering Investigation Report (to be provided by Saint Mary's College High School as each Use Permit project comes forward for environmental review). Alternative designs and/or construction procedures may be implemented, subject to review and approval by the Project Geotechnical Engineer and/or City Engineer.</p>	<p>Project Geotechnical Engineer</p>	<p>City of Albany, Public Works Division</p>	<p>Prior to issuance of a final grading permit</p>

Table 1: Draft Mitigation Monitoring and Reporting Program Measures	Mitigation Responsibility	Monitoring/Reporting Agency	Monitoring Schedule
<p>4. Mitigation: A structural engineer shall evaluate the ability of the existing retaining walls to support existing and new fills required for the Project and recommended herein. This shall include an analysis of existing structures, as well as proposed structures, according to final construction details.</p>	Project Engineer	City of Albany, Public Works Division	Prior to Issuance of Building Permit
<p>5. Mitigation: In the event that existing and proposed structures are determined to provide insufficient support of fills at the site, the Project shall supplement or replace existing retaining walls with improvements of sufficient structural integrity to prevent soil creep and retaining wall failure.</p>	Project Geotechnical Engineer	City of Albany, Public Works Division	Prior to issuance of a final grading permit
E. Hydrology & Water Quality			
<p>1. Mitigation: The Project applicant shall prepare and implement an updated Stormwater Pollution Prevention Plan (SWPPP) for each phase identified in the Use Permit that would involve soil disturbance (e.g., grading, demolition of existing structures, construction of new structures). A Notice of Intent (NOI) must be submitted to the State Water Resources Control Board to receive a Construction General Permit. The updated plan for each phase with the potential for soil disturbance shall address National Pollutant Discharge Elimination System (NPDES) requirements and be designed to protect water quality both during and after construction. The updated SWPPP shall include the following mitigation</p>	Project Engineer/ Construction Contractor	City of Albany Public Works Division	Prior to final construction plan approval

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<p>measures for the construction period:</p> <ul style="list-style-type: none"> a. Erosion Control Plan. The updated plan shall include erosion control/soil stabilization techniques such as straw mulching, erosion control blankets, erosion control matting, and hydro-seeding. Silt fences used in combination with fiber rolls shall be installed down slope of all graded slopes. Fiber rolls shall be installed in the flow path of graded areas receiving concentrated flows and fiber rolls or proven sediment traps shall be placed around all storm drain inlets. The construction entrance shall be stabilized to prevent tracking of dirt onto roads next to the site through use of a gravel base, erosion control blankets or other approved elements. Additionally, rock checks, fiber rolls, or other suitable material shall be placed below any culvert outfalls to Codornices Creek to prevent soil erosion from concentrated flow in these areas. b. "Best Management Practices" shall be implemented for preventing the discharge of other construction-related NPDES pollutants beside sediment (i.e. paint, concrete, etc.) to downstream waters. c. After construction is completed, all drainage facilities shall be inspected for accumulated sediment, and these drainage structures shall be cleared of debris and sediment. 			

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<p>d. Long-term mitigation measures to be included in the updated SWPPP shall include, but are not limited to, the following:</p> <ol style="list-style-type: none"> 1. Description of potential sources of erosion and sediment at the proposed Project site, and any hazardous or potentially hazardous materials and chemicals. This will include a thorough assessment of existing and potential pollutant sources. 2. Development of a monitoring and implementation plan. Maintenance requirements and frequency shall be carefully described including vector control, clearing of clogged or obstructed inlet or outlet structures, vegetation/landscape maintenance, replacement of media filters, regular sweeping of parking lots and other paved areas, etc. Wastes removed from BMP facilities may be hazardous, therefore, maintenance costs should be budgeted to include disposal at a proper site. 3. The monitoring and maintenance program shall be conducted at the frequency agreed upon by the RWQCB and/or City of Albany. Monitoring and maintenance shall be recorded and submitted annually to the SWRCB. The SWPPP shall be adjusted, as necessary, to address any inadequacies of the BMPs. 			

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<p>4. Following development, a maintenance plan shall be implemented addressing grounds keeping and the protection of storm drain inlets, proper storage of potentially hazardous chemicals, proper use of landscaping chemicals, clean-up and appropriate disposal of hazardous materials and chemicals, and prohibition of any washing and dumping of materials and chemicals into storm drains.</p>			
F. Transportation			
<p>1. Mitigation: Staging for materials, parking for construction vehicles, and other construction activities shall be done on-site in areas not currently used for on-campus parking. On-site parking space shall be managed in such a way to ensure no net reduction in the amount of available on-site parking space from one Use Permit development phase to the next.</p>	<p>City of Albany Public Works Division</p>	<p>City of Albany, Community Development Department</p>	<p>Prior to final construction plan approval</p>